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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BONNER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.

May 18, 2006.

I hereby appoint the Honorable JO BONNER to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

PRAYER

Chaplain Blain Maurice Stout, Jr., Office of the Army Chief of Chaplains, Arlington, Virginia, offered the following prayer:

Almighty God, You dwell in lofty places, yet You also live in the hearts of those who are lowly in spirit. The greatness of Your person inspires our heart to worship, while the goodness of Your concern shapes our character to wholeness.

As we align ourselves with Your nature, fling open the shuttered windows of our souls so that we may see beyond the walls of individual perspective and view this world, at least in part, as You do.

As we remember our military, wipe the tears from the faces of broken-hearted warriors who have lost beloved comrades. For the families of the fallen heroes, be a "father to the orphan and husband to the widow." Encourage all who support them in this Congress, and we ask Your blessing on the military chaplaincy, whose courageous spirit and compassionate service provide for the free exercise of religion.

In the name of Jesus I pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Georgia (Ms. MCKINNEY) come forward and lead the House in the Pledge of Allegiance.

Ms. MCKINNEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNIZING CHAPLAIN MAURY STOUT

(Mr. RYUN of Kansas asked and was given permission to address the House for 1 minute.)

Mr. RYUN of Kansas. Mr. Speaker, I rise today to welcome Chaplain Maury Stout to the House floor. Chaplain Stout is presently an action officer at the Army Chief of Chaplains at the Pentagon. Prior to that he served as the brigade chaplain for the First Brigade, First Infantry Division at Fort Riley in my district.

Prior to coming to Fort Riley, Chaplain Stout served as the Task Force Chaplain at Camp Kabal, Kuwait. He has also served at many other posts and was awarded the FORSCOM Excellence in Ministry Award while serving as the Squadron Chaplain at Fort Polk, Louisiana.

Chaplain Stout is impressively educated, holding degrees from Central Bible College, Harvard University, the Assemblies of God Theological Seminary, and Georgetown University.

He has been honored with numerous awards, including the Meritorious Service Medal, the Army Commendation Medal, the National Defense Service Medal, the Global War on Terrorism

Service Medal, the Military Outstanding Volunteer Service Medal, the Korean Defense Service Medal, to name just a few.

But I am sure he will tell you that his highest honor is with his family, who is up here seated in the gallery today, his wife, Jeressa, and they have four children.

Mr. Speaker, it is my distinct honor to welcome Chaplain Stout to the House Chamber. I commend him for his outstanding service, and express my appreciation to him for opening our session today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize each side for up to 10 minutes for 1-minute remarks.

RECOGNIZING GEORGE OLSON

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, I rise today to recognize a heroic American that winters in my district and lives in Muskegon, Michigan. George Olson, a World War II veteran, has traveled here with his family to visit the long-overdue memorial dedicated to veterans of the greatest generation.

Sergeant Olson served in the European theater in the U.S. Army Air Force as a tail gunner in a B-17. His plane was shot down, he was held a prisoner of war for some 11 months. Mr. Olson was awarded the Purple Heart, among other commendations.

The sacrifice of those like Sergeant Olson ensured we could live in a free society as we do today, and they deserve every bit of gratitude we can offer.

Like so many silent heroes of his generation, Mr. Olson returned home,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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married his sweetheart, Rose, and they had three children, Stuart, Garry and Lisa. Also with us today are his grandchildren, Katherine, Ryan and Kyle, Doug, Becky, Charlotte, Kelly, Jack, Nina, Kelly and Ken are also in the Chamber.

Mr. Speaker, I hope you will join me in acknowledging a great American, George Olson, today and wish him and his family well as they continue their visit to Washington, DC.

The sacrifices of his generation ensured we could live in a free society as we do today, and they certainly deserve every bit of gratitude we can offer.

FEMA HOUSING

(Ms. LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, the Bush administration failed the people of the Gulf Coast before Hurricane Katrina and continues to fail them today.

Now, people who were abandoned and left to fend for themselves are about to get kicked to the curb again.

First, we had to fight and force FEMA to allow survivors to temporarily stay in hotels and motels. Now, survivors may be on the streets again.

On May 31, 55,000 displaced families could lose emergency shelter assistance, even though it was promised to them for at least a year.

FEMA says that these families are supposed to apply for a different kind of assistance, yet four out of five applicants reportedly are being turned down. Those who do receive assistance have to reapply every 3 months. Why are we messing with these people who deserve to be treated better by their own government?

FEMA has failed to submit its plan for permanent transitional housing for Congress, which was due in January. Instead of assistance, they have offered incompetence. In the place of aid, they have offered nothing but bureaucracy.

Why in the world are we adding insult to injury? Katrina survivors deserve better.

THE PARTY OF NO

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the rhetoric from the other side of the aisle, which is usually full of hyperbole, has suddenly dissolved down into one simple word. No.

It is no to energy solutions. It is no to immigration reform. It is no to tax relief.

Last year Republicans passed not one but two energy bills, the Gasoline for America's Security Act, and the Energy Policy Act. More recently, we passed the Refinery Permit Process Schedule Act. And the Democrats response: No.

Last year Republicans passed not one but two immigration reform bills, the Border Protection, Antiterrorism and Illegal Immigration Control Act, and the REAL ID Act. And the Democrats response: No.

Finally, just last week, Republicans approved a tax conference agreement that will help keep the Bush economic boom going and prevent a massive tax increase. The Democrats response: No.

Mr. Speaker, the Democrats favorite new slogan is "America Can Do Better." The American people have a clear choice in November: The party that is accomplishing things, or the party that stands on the sidelines and says "no." Yes, America can do better, better than the party of no.

KATRINA SURVIVORS

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute.)

Ms. MCKINNEY. Mr. Speaker, after evicting all Katrina survivors in temporary housing on March 15, FEMA has now announced that 55,000 families will lose their emergency housing assistance as of May 31.

Tens of thousands of these families are being told they are ineligible for further assistance because of FEMA's onerous and discriminatory rules.

Is this how we treat people who have lost everything?

Where do we expect families who have lost their homes, their jobs, even their city, to turn without housing assistance?

Nearly 9 months have passed since Hurricane Katrina hit. If FEMA can't help these families reclaim their lives, then Congress has to act.

Literally dozens of Katrina bills are still languishing in committees, including H.R. 4197, the most comprehensive relief package offered to date.

I urge my colleagues to pass H.R. 4197 in support of Katrina's survivors.

MEXICO SUES AMERICA—LONE STAR VOICE: CURTIS KRUEGER

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, my office has been inundated by calls from citizens since the announcement that the Mexican government plans to sue the United States over our military troops along our border, hauled into court by the Fox south of the border.

Curtis Krueger of Kingwood, Texas, writes to me:

"Now I read that Mexico is considering suing the United States over border patrols. To not respond to this would be egregious. We as Americans have a sovereign right to have our borders protected by however and whom ever we see fit. Our government should vocalize this in every way possible, not sit back and let someone else formulate public opinion. To say we cannot handle the immigrant insurgency in

our country flies directly in the face of what we are doing in Iraq. If we are in Iraq to handle insurgents, why aren't we able to do so within our own borders. I, along with a vast majority of Americans, say to you and the government, 'We want our country back.'"

America is now going to be sued in our courts by foreign nations for protecting our Nation.

Mr. Speaker, this ought not to be. We the people have become we the defendants. Mr. Krueger has got it right. Hopefully our government does.

And that's just the way it is.

CHENEY'S SECRET ENERGY TASK FORCE HAS PAID DIVIDENDS FOR BIG OIL

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHAKOWSKY. Mr. Speaker, 5 years ago this week Vice President CHENEY convened his secret energy task force, bringing Big Oil and energy lobbyists together to craft the Bush administration energy agenda. Last year House Republicans rubber-stamped that agenda, and the administration happily signed the legislation into law.

Today, the results are in. Big Oil is laughing all the way to the bank. During the first quarter of this year, the big five oil companies reported profits of \$32.8 billion. These profits are a direct result of those secret Cheney meetings. Big Oil has experienced record profits because Washington Republicans chose to shower Big Oil with more than \$20 billion in gifts.

While Big Oil is prospering, the decisions made in those secret Cheney meetings are not paying off for the American consumer. Over the past 5 years the average American family is paying \$2,000 more a year in gas, home heating and electrical bills.

Washington Republicans continue to hurt everyday Americans by cozying up to Big Oil. Is it any wonder that Americans are demanding change? Democrats will end Big Oil price gouging and rapidly move our country to energy independence and a renewable, clean energy future.

CONGRATULATING RICHMOND NATIVE AND AMERICAN IDOL CONTESTANT ELLIOTT YAMIN

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Mr. Speaker, today I rise to congratulate Richmond, Virginia, native and American Idol contestant Elliott Yamin for pursuing his dream while sharing his powerful voice with all of us. Elliott is returning home a star; a man with an extraordinary gift who dared to put his talent on display and achieved great success. Elliott's personality and amazing ability won over the judges and the viewers to earn him national recognition as a

final contestant on the most popular show on television. Elliott will be returning home to Richmond, having inspired and entertained millions with his extraordinary singing voice and charisma. I join Elliott's community, family and friends in proud recognition of his fantastic achievement and undoubtedly bright future.

□ 1015

URGING VIDEO GAME MAKERS TO ACT RESPONSIBLY IN WAKE OF RECENT POLICE SHOOTINGS

(Mr. KENNEDY of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. KENNEDY of Minnesota. Mr. Speaker, the suburbs of Washington were shaken last week by the senseless murder of two police officers in Fairfax, Virginia. This shooting occurred just days after the 25th annual Police Officers Memorial Service honoring the 155 police officers who, like Shawn Silvera from Lino Lakes, Minnesota, died in the line of duty last year.

These deaths come at a time when violence against police officers is being glorified by video games like 25 to Life which gives players points for shooting police officers.

This is unacceptable, it is outrageous, it must be stopped.

I urge the makers of this game to think carefully about the message they are sending to the families of fallen officers and the impact it has on impressionable children. If companies like those that produce 25 to Life continue to market this filth to our children, I say to my colleagues, we have a duty to act.

ONGOING HOUSING CRISIS ON THE GULF COAST

(Mr. JEFFERSON asked and was given permission to address the House for 1 minute.)

Mr. JEFFERSON. Mr. Speaker, after almost 9 months, I suppose it doesn't surprise anyone to hear that FEMA is failing the citizens of the gulf coast. In the wake of the storms, FEMA expressly advised the survivors of Hurricanes Katrina and Rita that they could expect 1 year of assistance. Moreover, section 408 of the Stafford Act provides for 18 months of assistance to victims of natural disasters.

Yet just 9 months after these devastating storms, FEMA is working feverishly, not to house the victims of the hurricanes but to terminate their housing assistance, to kick them out into the street without any assurance that the survivors will be able to find housing for themselves or their families.

Why? Because FEMA says it's time to move on. May 31 is the deadline. After that, you're on your own.

There is a reason the Stafford Act provides for more than \$20,000 in aid per household and for up to 18 months

of assistance. The Stafford Act, unlike FEMA, recognizes that every disaster is different and that each disaster cannot be treated the same.

Over the next few months, our State's housing plan, The Road Home, will be up and running; SBA loan funds will begin to flow into homeowners' hands; insurance claims will be resolved and paid; and then the people of New Orleans will begin rebuilding in earnest.

The President has the authority to issue waivers, to make adjustments to accommodate the survivors. FEMA also can behave more reasonably, more humanely. Until FEMA has a workable plan for transitional housing for these American survivors, it must not evict them. To do so is unconscionable.

YOUTH COUNCIL

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, I am pleased to take this opportunity to talk about a group of exceptional students in my district. After coming to Congress last year, I put together several advisory councils made up of constituents. These panels perform research, investigations and advise me on the needs and concerns of my district, our State and our Nation across a variety of different areas.

Most recently, my Youth Advisory Council presented their report. Made up of 46 students representing 25 local high schools, the council met monthly to discuss and debate three very pertinent topics of their own choosing: Social Security, tax reform, and illegal immigration. During that time they also compiled and reviewed data from surveys administered to fellow students.

Much to my delight, the most consistent conclusion in all three working groups was that many of our young Americans are thirsty for more information on these issues. They want to be a part of the national dialogue.

I am excited to have had the opportunity to hear their voices. The information and conclusions they presented to me were extremely thorough and valuable. I thank them for their time and effort. I will work with colleagues here to implement many of their recommendations.

HOUSE REPUBLICANS CHOOSE TO PENALIZE CASH-STRAPPED SENIORS

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Mr. Speaker, say it isn't so. House Republicans are ready to penalize millions of American seniors who did not sign up for a prescription drug plan by that arbitrary May 15 deadline. Congress should have extended that deadline to give seniors more time to pick the right plan for

both their health and their pocket-book.

House Republicans expected seniors to choose a plan by May 15 even though they knew seniors were receiving incomplete and incorrect information from the Bush administration. An investigation by GAO concluded that the CMS was giving out wrong information to seniors 60 percent of the time.

You would think that Washington Republicans would not start penalizing seniors with the Bush prescription drug tax until the administration began giving out accurate information. But no, they chose instead to force seniors into a plan by midnight on May 15 or face the Bush prescription drug tax that will remain with them for the rest of their lives.

House Republicans and the President who the Congressional Black Caucus called on had a chance to help seniors and they didn't. Congress should have extended the deadline to give seniors more time. They still can. I call on them to do so.

Bring the Congressional Black Caucus bill to the floor and pass it.

CRITICAL CONDITION: THE STATE OF THE UNION'S HEALTH CARE, 2006

(Mr. MURPHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY. Mr. Speaker, a couple weeks ago, I provided for Members of Congress this document: "Critical Condition: The State of the Union's Health Care, 2006," put out by my office. In that we outlined many programs that would help reduce costs of health care in America.

Let me expand on one of them about Community Health Centers, which are nonprofit centers to provide primary and preventative care for folks who are low income or who are uninsured and underinsured. However, a recent report by the Journal of the American Medical Association said that although these clinics are of tremendous value, there is a shortage of medical personnel at them. A study published by Dr. Roger Rosenblatt of the University of Washington says that there is a 13 percent shortage of family physicians, a 20 percent shortage of obstetricians, and a 22.5 percent shortage of psychiatrists for these positions.

Oddly enough, if a physician is employed by a Community Health Center, they are covered by the Federal liability, but if someone wants to volunteer at a clinic, they are not.

It is important that we provide mechanisms to allow physicians and other medical personnel to volunteer at these clinics. America needs that. The uninsured and underinsured need that, and, quite frankly, it would save a tremendous amount of money.

People can receive further information on my Web site, murphy.house.gov.

DO NOTHING CONGRESS NOT TACKLING ANY OF THE ISSUES IMPORTANT TO THE AMERICAN PEOPLE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, our Nation faces many pressing issues; yet the House Republican leadership prefers to send Congress home for breaks rather than working to solve any problems.

Back in 1948 President Truman dubbed that Congress the "Do Nothing Congress" because it only met 108 days the entire year. The Republican Congress of 2006 is set to break that record, scheduled to meet for only 97 days this year, 11 fewer than the first "Do Nothing Congress."

Now, the budget continues to spiral out of control after finally being balanced by President Clinton back in the late 1990s; yet House Republicans approved a budget last night that makes the deficit worse and offers no plan to bring the budget back into balance.

Gas prices continue to hover at or above \$3 a gallon; yet House Republicans continue to do the bidding of the big oil execs rather than providing any real relief to the American consumer.

House Republicans, Mr. Speaker, are presiding over the most "Do Nothing Congress" in our Nation's history. They simply cannot govern and it is time for a change.

THE NATION'S CONSENSUS: SECURE OUR BORDERS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, the topic of this week, the topic of discussion with our constituents, with those who are calling us is illegal immigration and their concern over Mexico's choosing and wanting to sue the United States for defending our borders.

Mr. Speaker, America has reached a consensus and our constituents have reached a consensus on this issue. What they are telling us is secure our borders. Show us a secured border. Show us a plan of action. Allow us to know that we can have our faith restored in your ability to secure this Nation.

We hear from them. They are letting us know that they expect us to uphold our oath to defend and protect this Nation. Mr. Speaker, we are listening. In this body we have been listening. Last fall we took action.

We encourage all to join us in securing the border of this great Nation.

THE REPUBLICAN BUDGET

(Ms. KILPATRICK of Michigan asked and was given permission to address the House for 1 minute.)

Ms. KILPATRICK of Michigan. Mr. Speaker, at 1 o'clock this morning, the

Republicans in the House of Representatives passed a budget that is fiscally irresponsible; increases the national debt; cuts veterans' health care; cuts student loans; and at the same time, President Bush passed a \$70 billion tax cut bill for the wealthiest of America.

What is just as bad is that the debt limit for our Nation has been increased five times since 2001 under President Bush and the Republicans. This is more than any Presidents that preceded him.

Is this the kind of America that you want? American people, please speak out. Please speak up. We can do better. This is the best Nation in the world. We must change the way we do business in Congress.

One hundred percent of Democrats voted against that budget at 1 o'clock this morning. It is bad for America. It is bad for our families, and we can do better.

THE EFFECTS OF ENERGY COSTS ON OUR AGRICULTURE ECONOMY

(Miss McMORRIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss McMORRIS. Mr. Speaker, agriculture is a billion dollar industry in Eastern Washington. And for those of us from Eastern Washington, as well as all across America, we must be promoting policies and projects that are going to help our farmers and ranchers.

Over the past several months, I have heard from our farmers about high energy costs that are hurting their ability to do business. At a time when their profit margins are slim, unexpected increases in energy costs are having a devastating effect.

I recently received a letter from a third generation farmer who prides himself on being a good steward of the land. He has never seen circumstances as severe and depressed. He mentions that the reason we are losing good family farms is because our agriculture economy is unable to absorb the energy costs for fuel and fertilizer. His costs alone are up 66 percent, and fertilizer costs are up 46 percent.

We have the energy resources available here in the United States to solve this problem. We need to be taking steps right now to better meet our energy needs because America needs American energy. It includes increasing supply, conservation, and alternative fuels.

Growing up on a family farm, I learned firsthand about these challenges, and I look forward to working with my colleagues to address this situation.

THE TAX BILL

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, the President signed another tax bill that will add to the Federal deficit. And the

House budget resolution that passed last night, with 100 percent of the Democrats voting against it, contains a provision to raise the debt ceiling for the fifth time on President Bush's watch.

This President and this Congress have squandered the fiscal discipline of the Clinton years of the 1990s and created a legacy of deficits and debt that will erode the standard of living of our children and our grandchildren. This is a record-setting administration, but they are setting the wrong kinds of records.

We have seen the Federal budget deficit set a record in dollar terms. We have seen the national debt rise to a record level. And we have seen our trade deficit and our indebtedness to the rest of the world rise to a record level.

America can do better.

FLOYD COUNTY SCHOOLS

(Mr. GINGREY asked and was given permission to address the House for 1 minute.)

Mr. GINGREY. Mr. Speaker, I rise today to congratulate the Floyd County school system on receiving an "outperformer" rating in the Standard and Poor's 2006 School Evaluation report. Floyd County was one of only 20 school districts in the State of Georgia to receive this distinction.

This award recognizes the great work Floyd County schools are doing to educate our children. I know everyone in the community was excited, but not surprised, by this honor, as Floyd County consistently displays exceptional levels of student achievement.

Mr. Speaker, I want to thank the dedicated Floyd County educators whose hard work earned this award. Floyd County superintendent Kelly Henson, members of the Floyd County School Board, principals, teachers, parents at every school in the system deserve our gratitude for a job well done. I know Floyd County will continue its long tradition as a leader in educational achievement for the State of Georgia.

Mr. Speaker, I ask that you join me in congratulating the Floyd County school system and in thanking its educators for their dedication to developing the minds of our community's rising leaders.

OLDER AMERICANS

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute.)

Mr. HINOJOSA. Mr. Speaker, May is Older Americans Month. Let us celebrate Older Americans Month by passing a budget that will promote their dignity and health.

The once-per-decade White House Conference on Aging put reauthorization of the Older Americans Act at the top of its list of national priorities. I am proud that we are working in a bipartisan manner to pass a consensus

bill to reauthorize this essential law that has built the foundation for our aging network.

However, we must couple reauthorization with real resources. We know that every dollar spent providing a meal or supporting seniors so that they can remain at home and in their communities not only improves their quality of life, but saves entitlement spending on long-term care. That is the genius of the Older Americans Act. Yet we know that the Older Americans Act's purchasing power per individual has dropped by 50 percent since 1980.

It is incumbent upon all of us to step up and invest in these programs. It is one sure way to help control the cost of our growing entitlement programs. It is the right thing to do.

□ 1030

PROVIDING FOR CONSIDERATION OF H.R. 5386, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 818 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 818

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: page 73, lines 3 through 8; section 425; and title V. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of House Concurrent Resolution 376, and until a concurrent resolution on the budget for fiscal year 2007 has been adopted by the Congress, the provisions of House Concurrent Resolution 376 and its accompanying report shall have force and effect in the House for all purposes of the Congressional Budget Act of 1974 as though adopted by the Congress.

(b) Nothing in this section may be construed to engage rule XXVII.

The SPEAKER pro tempore. The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, the resolution provides for an open rule on H.R. 5386, the Interior Appropriations Act for 2007. It provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking member of the Interior Subcommittee on Appropriations.

The rule waives all points of order against consideration of the bill, except for certain legislative provisions which are specified under the text of the rule.

For purposes of the amendment, the rule provides for priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Mr. Speaker, at this time I am pleased to stand and introduce this rule as well as the underlying legislation. I appreciate the hard work and the hard choices that have been done by the subcommittee members, specifically Chairman TAYLOR and Ranking Member DICKS, as well as the full committee under the leadership of Chairman LEWIS and many others who have played an essential role in putting this budget together, which actually comes in at \$145 million less than last year's enacted levels.

This important measure provides funding for the entire Department of Interior, except for the Bureau of Reclamation, for the U.S. Forest Service within the Department of Agriculture, for the Indian Health Service within the Health and Human Services Department, the Environmental Protection Agency, as well as other programs.

At the same time, this measure provides for a moderate increase over the President's proposed budget for the Forest Service, for the National Park Service, EPA, Environmental programs and management.

This budget provides for \$5.9 billion to programs for Native Americans, including three new health centers in underfunded and depressed areas. It provides for a fully-funded National Fire Plan, eliminating duplications, which will result in the stopping of wildfires from getting out of control and becoming more expensive and damaging to both people, as well as wildlife and the environment.

There is land acquisition, which has been reduced to \$60 million for in-holding, which is significant and important to do, but it is significant that it does not add inventory to our public land policies that are above and beyond what we can already afford.

There is one particular note of significance to me I wish to address, that this bill provides \$228 million for the Payment in Lieu of Taxes Program at the Department of Interior. This figure is \$30 million above what the President requested, and I appreciate the efforts of Chairman TAYLOR, ranking member DICKS and the entire committee in providing the restoration of funds. However, it is still below the \$332 million that was provided for in last year's budget, and significantly below the authorized level of \$350 million, which would be there today.

If one were to draw a line from Montana through New Mexico on the map, everything west of that line has 57 percent ownership by the Federal Government. Everything east of the line is 4 percent ownership by the Federal Government.

When the western States, which I live in one, entered this country under their enabling acts, there were legal commitments that were made, that in the 1950s the Federal Government unilaterally changed and since that time have been repeatedly changing. In fact, there are several amendments that have been threatened to be only the floor today which would increase that change in commitment.

No one who does not live in that area understands the significance of Federal ownership of that particular land. Chairman TAYLOR though, having a significant amount of Forest Service land in his district, is one of those that is empathetic to this situation, and we are appreciative of all his efforts in this particular area. I wish the administration were the same. In dealing at one time with an administrative official, he asked me why I was so concerned about all this Federal land; it was simply useless land and no one lived there anyway.

It has to be realized that half of the West is essentially tied up in Federal lands and is controlled by it. Payment in lieu of taxes is not charity, it is simply rent on land that is due to compensate for economic problems created by the Federal Government, created by Federal Government actions, and in contradiction to the deals that were made when these States originally came into the Union.

The Department of Interior took the concept of payment in lieu of taxes from the BLM as an effort, in their words, "to ensure appropriate emphasis," and that it would be a benefit accrued to both Congress, the Department, BLM and to the counties of the West as well.

Since that time, that has not been the case. In fact, in each of the last 2 years, the administration and the OMB have actually cut this particular program, only to have it restored by Congress, which once again I thank Chairman TAYLOR, his committee and his staff for their efforts in that area.

In like contrast though, it is unusual that even though the overall funding for the Interior Department has been

around 7 percent over the past 5 years, if my math is correct, the Department of Interior's administrative budget has increased 100 percent in that same time, from \$64 million to \$118 million today.

While I may disagree with this portion of the bill, we will be joining with other western Congressmen later on today to try to present an amendment through regular order that will address this one particular issue.

I am appreciative once again to Chairman TAYLOR and the ranking member from the State of Washington who have been understanding of this situation, empathetic of this situation, and very helpful to us, as we move forward to try and find some kind of redress with this particular situation.

Mr. Speaker, while I have a few disagreements obviously that I have just stated, overall that is only one aspect of this important underlying bill that will be presented by this rule. We will be trying to address that agreement at some other time.

Still, the overwhelming majority of this bill is very positive and it does move us forward, and it was a responsible result of a lot of bipartisan work done on the part of this particular subcommittee.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Utah, my friend Mr. BISHOP, for yielding me the time.

Mr. Speaker, I rise today in opposition to this rule, not because of what it allows, but rather because of what it blocks. I am also inclined to oppose the underlying legislation, not because of the process, but rather because of the lack of progress which we have made in the last year in our efforts to protect and improve our environment.

Nearly 1 year ago to the day, I stood on this floor also with the gentleman from Utah when the House considered the fiscal year 2006 Interior, Environment and related agencies appropriations bill. Under that bill, \$240 million had been cut from the Clean Water State Revolving Fund. Conservation funding was approximately \$750 million below, or less than half of what was promised when Congress passed the Conservation and Restoration Act of 2000, and, overall, EPA's budget had been cut by \$300 million.

Today, the House is being asked to consider an Interior appropriations bill that is even worse. Indeed, this is not by any fault of the Appropriations Committee, but it is the fault of the majority in this body, which has tied our hands in a knot of fiscal irresponsibility.

If this rule passes, the House will be forced to consider an Interior appropriations bill that not only includes the massive cuts from last year, but actually cuts these programs even more, so that my friends in the major-

ity can pay for their massive tax cuts to the very wealthiest 2 percent of Americans.

The underlying legislation cuts the Clean Water State Revolving Fund by another \$199 million, to a level that is more than \$660 million less than it was in 2001. The bill cuts funding for the Land Water Conservation Fund by \$28 million, to a level that is \$90 million less than it was in 2001. Overall funding for Federal land acquisition aimed at helping States preserve open spaces is cut in this bill by \$98 million, a level that is more than \$400 million less than 2001. This is an 86 percent cut in funding, Mr. Speaker; 86 percent.

Certainly it just can't be true that only Democrats care about preserving our lands so that future generations will enjoy them. Yet where is the outrage from the majority Members of the other side of the aisle?

Yesterday evening, the ranking Democrat of the Appropriations Committee submitted an amendment to the Rules Committee that restored \$800 million in funding cuts to these and other critically needed environmental programs. Mr. OBEY's amendment, most importantly, was revenue neutral and would have required not one penny of additional cuts in this or any other bill. During the hearing, however, Rules Committee Republicans, along a straight party line vote, blocked Representative OBEY from offering his amendment.

I am also troubled by language in the bill which overrules longstanding Presidential and Congressional moratoria for drilling for natural gas on the Outer Continental Shelf. This provision will permit drilling to occur as close as 3 miles to the shores of coastal States, including my home State of Florida. In doing so, the health of Florida's beaches and tourism industry, the largest industry in our State, will be in direct danger.

Let there be no mistake about it, Mr. Speaker: Drilling for natural gas on the Outer Continental Shelf will have zero impact at the gas pumps. It will not under any circumstances reduce the cost of a gallon of gasoline.

□ 1045

I say if supporters of lifting those moratoria are serious about reducing our dependence on foreign energy supplies then they should join me and others in calling for increased fuel conservation and investment in mass transit and alternative energy sources.

Mr. Speaker, while I cannot speak on behalf of every Member of Florida's delegation, I can tell you that the overwhelming majority of us in Florida and our citizens and our Governor do not want offshore oil drilling in Florida, and we intend to do whatever is necessary to strip this provision from the bill today.

Mr. Speaker, I would be remiss if I failed to mention that I am extremely grateful that under this bill Congress furthers its commitment to restoring

Florida's Everglades. This is a project that is absolutely crucial to the environment and to the potable fresh water supply of many south Florida and Treasure Coast communities in my district.

My constituents and I deeply appreciate Chairman TAYLOR and Representative DICKS' continued efforts in this area. Equally, I was also very pleased to learn that the committee has restored the President's proposed budget cut for the Office of Environmental Justice at EPA and included the limitation language that I offered last year ensuring that EPA respects the needs of the environmental justice community.

Yet despite these positive provisions, Mr. Speaker, this bill is an overall disappointment. I firmly believe that the appropriators did the best they could do with what we gave them to work with.

Nevertheless, I find it offensive that the majority of this body is more concerned today about protecting \$114,000 tax cuts for people making more than \$1 million than fully funding programs which ensure that all Americans have access to clean air and drinking water.

Enforcement is not free, and neither is environmental restoration. Everyone in America shares in the responsibility of contributing her or his own share. Is there anybody in this body who is unwilling to pay just a little more to ensure that everyone in America has clean air to breathe and safe water to drink? If given the chance, who would not be willing to pool her resources with others in her neighborhood to collectively ensure that everyone has safe drinking water, or that no child will be forced to grow up playing in backyards polluted by dangerous levels of mercury and other toxins?

If the budget is about priorities, Mr. Speaker, then appropriations bills are about fiscal reality. The fiscal reality of this bill and the appropriations bill that will soon follow are that America is in trouble with the majority at the helm. Their fiscal mismanagement has placed the wishes of wealthy individuals, and I question that. I do not know whether wealthy people have made these requests. Most wealthy people I know are willing to share their resources for the collective needs of their respective communities.

Is there something in the DNA here in the majority that allows them to decide that wealthy people ought be prioritized over the collective needs of a community? The underlying legislation is, unfortunately, only the first of 11 installments this year of the grim reality of which Democrats have warned for the last 5 years.

Mr. Speaker, I would urge my colleagues to understand that before we finish this appropriations process all of us will understand those grim realities, for the chickens are coming home to roost.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 4 minutes to the gentlemen from Maryland (Mr. GILCREST).

Mr. GILCREST. Mr. Speaker, I thank the gentlemen from Utah for yielding me time.

Mr. Speaker, I rise to support the rule and I rise to support the underlying legislation. Mr. Speaker, what I would like to speak to at this point is in the underlying bill there is a provision which states that this body, that there is a sense of Congress that we should recognize that there is an ongoing problem with the amount of carbon dioxide, CO₂ that is being emitted as a result of burning fossil fuel and that the United States should take steps to reduce that emission of CO₂.

Now, carbon dioxide makes up a fraction of less than 1 percent of the atmosphere, and yet that one element in the atmosphere, less than 1 percent, a fraction of 1 percent, pretty much determines the heat balance or the climate of the planet.

CO₂ is increasing, especially over the last 100 years, as a result of burning fossil fuels. We are having a dramatic impact on the heat balance of the planet. Let us just look at some simple scientific observations.

This is data that is conclusive among the scientific community. 10,000 years ago we were at the end of the last ice age, and we can measure the amount of CO₂ in the atmosphere 10,000 years ago. It was 180 parts per million. 180 parts per million of CO₂ in the atmosphere 10,000 years ago.

Now, let us fast forward almost 10,000 years. It was 280 parts per million 100 years ago. So almost 10,000 years it took to increase CO₂ into the atmosphere from natural processes 100 points, from 180 parts per million to 280 parts per million 100 years ago.

Now, let us fast forward 100 years to today. It is 380 parts per million. So what took 10,000 years to increase in the last 100 years, we have done that that fast, from 280 parts per million to 380 parts per million in just 100 years.

What we are saying is that dramatic increase is attributed to human activity burning fossil fuel. That dramatic increase has resulted in glaciers receding traumatically around the planet, the warmest 10 years on record from the 1990s. Hurricanes are getting stronger and more fierce, and all we have to do is take a look at what happened in New Orleans, lower Louisiana, Katrina, Rita, Wilma, Florida, et cetera, et cetera, because the atmosphere is warming as a result of an increase in CO₂.

The seas, the oceans are warming as a result of increasing CO₂ into the atmosphere that is directly attributed to fossil fuel burning by human activity. The polar ice cap is melting. In the last 20, 25 years it has decreased in volume by 40 percent. Twenty years ago, the amount of water running off the ice caps of Greenland was 20 cubic miles a year. Now it is 53 cubic miles a year flowing off Greenland.

If Greenland's ice cap melts, that is a 23-foot sea level rise, try to imagine that, depending on where you live. Human activity, the burning of fossil fuel, is increasing CO₂, and so the idea that we should have a sense of Congress that this is an observable problem and we should take a look at it is only reasonable.

The U.S. is losing competitiveness, economic opportunities for advanced technologies unless we move forward with this. I support the underlying rule.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to my good friend and fellow member on the Rules Committee, the gentlemen from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I thank the gentlemen for yielding me time.

Mr. Speaker, I want to say to the gentleman from Maryland who just spoke that I agree with almost everything he just said, except when he said that he was going to vote for the underlying rule, because the rule specifically does not protect the global warming language.

So I do not know how the gentlemen can feel on the one hand very passionately about doing something about global warming and having us look into the issue, and on the other hand go ahead and vote for a rule that will allow anybody on this floor to strike it.

Mr. Speaker, it has been nearly a year since we considered the Interior appropriation, the last Interior appropriations bill. One year ago I joined with my colleagues in voicing my outrage at the inadequate funding levels for critical environmental and conservation programs, and last year, like this year, we were told that because of the budget allocation this was the best that we could do, we will try to do better next year.

So here we are today in the wake of having the Republican leadership ram through a martial law rule in order to take up a budget resolution that just like last year's version slashes programs in areas of education, job training, conservation, public health and medical research and social services.

Another year has gone by, but it is still the same old story. And so I rise today, sadly, in opposition to the fiscal year 2007 Interior appropriations bill. This bill is an assault against our environment and it should be defeated.

Once again, it significantly cuts funding for the Land and Water Conservation Fund and completely eliminates the Stateside Grant Program. That is right, zero dollars for the Stateside Land and Water Conservation Program. I am simply not interested in hearing the same old argument that this is simply the best we can do given the budget allocation.

The budget allocation does not just fall from the sky, this Congress voted on the budget yesterday. The Republican majority chose to slash environ-

mental programs. The Republican majority chose to eliminate the State grants for the Land and Water Conservation Fund. The Republican majority chose to pass a budget that requires a completely inadequate allocation for the Department of Interior and environmental programs.

Mr. Speaker, we have the results of those choices before us today. We could have done better. We could have chosen to move away from the deliberate policy of putting the privileges of millionaires ahead of the needs of our communities and families.

Since 1964, LWCF funding has been used to support the acquisition and maintenance of our national wildlife refuges, parks, forests and public domain lands, and the stateside program has helped to preserve open space, slow urban sprawl and given our children safe places to play.

This program has broad bipartisan support, and success stories can be found in every single State and every single community throughout this country. In fact, this year I joined with my colleagues from New York (Mr. KING) and New Jersey (Mr. HOLT) in urging the committee to restore funding to the Stateside Grant Program. One hundred fifty Members shared this concern and signed on to a bipartisan letter.

Mr. Speaker, it is all about priorities: Tax breaks for the wealthy few or open space and environmental protections for the majority of Americans. I commend Mr. TAYLOR and Mr. DICKS for the good in this bill, but the good is not enough to outweigh the bad.

The Republican majority in this House have made their choices. It is the wrong choice. I urge my colleagues to hold true to their promise to the American people and reject this bill. We must do better.

CONGRESS OF THE UNITED STATES.

Washington, DC, March 14, 2006.

Hon. CHARLES TAYLOR.

Chairman, Subcommittee on Interior Appropriations, RHOB, Washington, DC.

Hon. NORM DICKS.

Ranking Member, Subcommittee on Interior Appropriations, LHOB, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to urge the Subcommittee to restore funding to the Land and Water Conservation Fund (LWCF) state and local grant program to \$100 million for FY 2007.

The LWCF state assistance program provides matching federal grants to states and local communities to develop outdoor recreation facilities and resources. This competitive grant program provides funds to the states that choose local projects based on need and quality of the project. Unfortunately, the FY 2007 budget eliminates funding for the state assistance program. An inadequate funding level for this program has had detrimental effects on communities across America, a number of which have been unable to begin certain new projects or to complete recreational projects already begun. This lack of funding would also mean that youth sports teams trying to access more facilities to relieve the stress of overcrowded fields and resources won't be able to find such fields, or community service organizations needing public recreation resources won't have them.

The recently revised USDA/HHS Dietary Guidelines call for 30 minutes of regular physical activity to promote health, psychological well-being, and a healthy body weight. Every American needs to take this call to heart, and for most Americans, local public parks and recreation areas are the place they would most like to do their daily physical activity. Our communities need funding for this program, which will increase opportunities for adults and children to have better access to close to home health promotion and disease prevention resources.

The Land and Water Conservation Fund State Assistance program has aided local recreation projects in over 98% of all U.S. counties, and the federal investment has been matched many times over with local funds in 40,000 sports fields, community recreation facilities, and natural parks. We believe that this program is vital to assisting communities that are trying to provide close to home places for all Americans to get active and stay healthy.

The LWCF matching grants especially help those communities that are facing the problems associated with exploding growth such as a critical lack of sports fields and lack of necessary community planning. These grants also assist many small communities to build possibly their only public recreation facility, a facility or park that would not exist with out the federal funds that match their local funds and make the investment possible.

Given the national obesity crisis and the need for all Americans to have access to public places and spaces to have a place to get active and stay healthy, we strongly urge you to support an appropriation of \$100 million in FY 2007 for the LWCF state assistance program.

Sincerely,

James McGovern, Peter King, Rush Holt, Neil Abercrombie, Gary Ackerman, Thomas Allen, Robert Andrews, Brian Baird, Tammy Baldwin, Melissa Bean, Xavier Becerra, Shelley Berkley, Timothy Bishop, Earl Blumenauer, Sherwood Boehlert, Leonard Boswell, Rick Boucher, Jeb Bradley, Henry Brown, Sherrod Brown, Dave Camp, Lois Capps, Michael Capuano, Benjamin Cardin, Dennis Cardoza, Russ Carnahan, Julia Carson, Ed Case, Ben Chandler, Donna Christensen.

Wm. Lacy Clay, Emanuel Cleaver, James Clyburn, John Conyers, Jerry Costello, Joseph Crowley, Henry Cuellar, Elijah Cummings, Jo Ann Davis, Susan Davis, Tom Davis, Peter DeFazio, Diana DeGette, William Delahunt, Rosa DeLauro, John Dingell, Lloyd Doggett, Michael Doyle, Rahm Emanuel, Eliot Engel, Anna Eshoo, Lane Evans, Mike Ferguson, Michael Fitzpatrick, Harold Ford, Jeff Fortenberry, Vito Fossella, Barney Frank, Wayne Gilchrest, Charles Gonzalez.

Bart Gordon, Gene Green, Raul Grijalva, Luis Guitierrez, Jane Harman, Alcee Hastings, Brian Higgins, Tim Holden, Darlene Hooley, Jay Inslee, Steve Israel, William Jefferson, Tim Johnson, Sue Kelly, Dale Kildee, Ron Kind, Dennis Kucinich, John Kuhl, James Langevin, Tom Lantos, Rick Larsen, John Larson, Barbara Lee, Sander Levin, John Lewis, Daniel Lipinski, Frank LoBiondo, Stephen Lynch, Carolyn McCarthy, Betty McCollum.

Thaddeus McCotter, Jim McDermott, Mike McIntyre, Cynthia McKinney, Michael McNulty, Carolyn Malone, Ed Markey, Jim Marshall, Jim Matheson, Doris Matsui, Mike Michaud, Juanita Millender-McDonald, George Miller, Dennis Moore, Jerrold Nadler, Grace Napolitano, Richard Neal, James Oberstar, Solomon Ortiz, Tom Osborne, Frank Pallone Jr., Donald Payne, David Price, Nick Rahall II, Silvestre Reyes, Tom Reynolds, Mike Ross, Tim Ryan, John Salazar, Bernie Sanders.

Jim Saxton, Janice Schakowsky, Adam Schiff, Allyson Schwartz, John J. H. Schwarz, David Scott, Robert Scott, Christopher Shays, Brad Sherman, Rob Simmons, Ike Skelton, Louise Slaughter, Adam Smith, Vic Snyder, Mark Souder, John Spratt, Pete Stark, Ted Strickland, Bart Stupak, Ellen Tauscher, Lee Terry, John Tierney, Edolphus Towns, Stephanie Tubbs-Jones, Mark Udall, Tom Udall, Chris Van Hollen, James Walsh, Diane Watson, Melvin Watt, Henry Waxman, Jerry Weller, Lynn Woolsey.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. DICKS), my good friend, the ranking member of the relevant subcommittee.

Mr. DICKS. Mr. Speaker, I appreciate the gentleman from Florida for yielding me time.

Mr. Speaker, I rise in opposition to this rule for the consideration of H.R. 5386, the fiscal year 2007 Interior and Environmental appropriations bill.

Mr. Speaker, while I appreciate that this is an open rule, I am deeply disappointed that the Rules Committee did not protect a provision for which I specifically asked for such protection. I also strongly oppose the self-enacting clause which puts into place the cuts contained in the budget resolution passed on a strictly partisan basis last night.

Mr. Speaker, the provision I sought for, section 425 of the bill, results from an amendment I successfully offered in the Appropriations Committee that simply expresses the sense of the Congress that global climate change is in part due to human activity. I think that is pretty self-evident.

□ 1100

The provision also stated that this reality of climate change may result in a comprehensive and mandatory program to reduce the impact of human activity on global warming.

Let me repeat. The provision was nonbinding. The provision would have resulted in no change in spending by the agencies funded by the Interior and Environmental Appropriations Subcommittee. This provision authorizes nothing. In fact, it was the same language that the other body adopted last year during consideration of the energy bill that was dropped during conference.

I still think it is important that the House go on record as acknowledging that we are in part responsible for the recent increases in global air and ocean temperatures. And I want to associate myself with the remarks of the gentleman from Maryland. Although the amendment I offered and the Appropriations Committee accepted would not lead directly to any actions by the Federal Government, it remains an important first step. At least the House Appropriations Committee is on record as facing the truth on climate change. I see that as a victory. But we still have the responsibility to go beyond a sense of the Congress resolution and

launch the necessary comprehensive program the United States must take to lead the world in reversing the threat of global warming.

I am also let down that the Rules Committee chose not to protect the provision accepted by the Appropriations Committee that seeks to correct an undue windfall being reaped by the oil and gas industry due to erroneously written contracts by the Mineral Management Service. These faulty contracts could cost the Federal Government \$7 billion in royalties between now and 2011. Because of these shortcomings in the rule and the self-enacting clause, I will have to vote "no" on its passage.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield to the distinguished ranking member of the Appropriations Committee, my very good friend, Mr. OBEY from Wisconsin, 4 minutes.

Mr. OBEY. I thank the gentleman for the time.

Mr. Speaker, today, the House of Representatives enters the land of make believe. Since April, the majority party has been trying to pass its misbegotten budget resolution, and they have had a very difficult time doing that because their more moderate Republican brethren in the Senate have regarded the budget pushed by the majority party as being extreme, and it is something that they don't want to take home to their constituents.

Last night, in a very interesting kabuki dance, the majority party managed to finally find the votes some more than a month late to pass their budget resolution in this House. But it still has not been passed by the Senate, and I think objective observers feel it is not likely to ever pass the Senate.

So now we have a problem. The appropriations bills are not supposed to move forward until we have a budget resolution passed by both chambers in place. So what do our friends on the majority side of the aisle decide to do? They use this rule to deem as passed the budget resolution which they have not been able to pass. In other words, the rule says "Let us pretend that in spite of the fact that the Congress hasn't passed its budget, it has." That is what we are doing.

And so I think that is reason enough to vote against this bill and this rule. Unless, of course, you think it is right to provide \$40 billion in tax cuts to people who make over \$1 million a year, while at the same time we are cutting needed domestic programs such as education, health care, science, and environmental protection by \$13 billion below the current service level. Unless you think, of course, that it is perfectly justifiable to cut the clean water revolving fund by 50 percent, as this bill will do, at the same time that you are giving the wealthiest 1 percent of people in this country who make over \$400,000 a year \$64 billion in tax cuts. The average person making over \$1

million a year will get a tax cut well over \$100,000.

If you make \$42,000 a year, the tax break that you are going to get in the bill that the majority passed last week is about 80 cents a week; but if you make over \$1 million, your tax cut is going to be as large as the entire salary of that person who made \$42,000. I don't think that is the kind of budget that I want to take home to my constituents.

So I would say the underlying bill itself is bad enough with what it does to the clean water revolving fund, the way it shreds land acquisition programs, the way it hems in EPA's ability to enforce the law against polluters, it is bad enough to vote against as is. But when you add to it this "Let's Pretend" fiction that the House has passed a budget which it hasn't passed, it therefore becomes an endorsement of that budget. I don't think the American people want that budget. I certainly don't want that budget. I intend to vote "no."

Mr. BISHOP of Utah. Mr. Speaker, I am going to reserve.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield to my good friend from West Virginia (Mr. RAHALL) 3 minutes.

Mr. RAHALL. I thank the distinguished gentleman from Florida for yielding me the time.

Mr. Speaker, I rise in opposition to this rule, and I want to address that portion of the pending appropriations bill concerning the Office of Surface Mining, and specifically the Abandoned Mine Reclamation Fund.

In regard to the Abandoned Mine Reclamation Fund, there exists an unexpended balance in the AML trust fund approaching \$2 billion, and it is my hope that in conference this particular appropriation will be increased.

With respect to the Office of Surface Mining, I would observe that just yesterday news emerged that the President intends to nominate John R. Correll to serve as the agency's director. I have not met the gentleman, and I look forward to doing so. But what immediately catches the eye is that, since 2002, Mr. Correll served as the deputy assistant secretary of labor and was responsible, according to the administration's press release yesterday, of all aspects of the mine's safety health administration.

Now, it is no secret that 26 coal miners have perished this year, a rate that this Nation has not witnessed in recent memory. It is also no secret that many of these fatalities could have been avoided if MSHA had been doing its job. Mr. Correll had been part of the leadership of MSHA during the time when the policy floor fell out. Under his leadership, the philosophy at MSHA changed from one of oversight and compliance to one of partnership and complicity. Rule-makings were abandoned, opportunities to improve coal mining safety were closeted away, and Mr. Correll and others within the Bush Labor Department advocated partner-

ing with industry to address safety concerns rather than to enforce the law. In fact, in 1998 Mr. Correll testified before the House Committee on Education and Workforce, Subcommittee on Workforce Protection, advocating fewer inspections, incentives over penalties, and cooperation over regulation.

While other nations have soared ahead in mine safety, incorporating new technologies to ensure and improve protections for their most precious mining resource, their workers, this Nation through a cultural shift at MSHA remained at the dust. It has been a shameful record that I would be loathe to see carried over to OSM.

The health and safety of the residents in our mining communities should not be gambled on in the way that the health and safety of our mine workers has been. It is time that concern and compassion and correctness for our miners take precedent over loyalty to industry and loyalty to this administration.

So it is passing strange, to say the least, that the Bush administration would nominate as OSM director a person who presided over MSHA during the worst rash of coal miner fatalities in recent times. One must wonder if this person will bring the same philosophy to overseeing the environmental protection of coalfield citizens.

I urge opposition to this rule for many other reasons that have been stated by my colleagues.

Mr. BISHOP of Utah. Mr. Speaker, I want to reserve one more time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to the gentleman from North Dakota, my classmate and friend, Mr. POMEROY.

Mr. POMEROY. I thank the gentleman for yielding.

Mr. Speaker, it has only been a few hours since we resolved the vote on the budget. To the disappointment of many of us, the budget was passed, and the fifth debt limit increase, the second since March of this year alone, has now been authorized.

But there are other features in this budget passed last night that many of us found objectionable, including those steep, steep cuts in nondefense discretionary spending in order to pay for those tax cuts disproportionately benefiting the wealthiest people in this country. Those who need the help the least get the most help in terms of huge tax cuts, and vital programs to this country get savaged under the spending cuts moved forward.

I want to elaborate on the earlier debate carried by our ranking member, DAVE OBEY, in the Appropriations Committee, because in this rule there is language which incorporates the spending limits of the House-passed budget last night. I want to make this point very clear, because there were 12 Members of the majority that voted against that budget. There was another group that got nonbinding language saying

some of the money may somehow, somewhere, possibly be put back. Well, now we know that nonbinding language means nothing at all. The rule carries forward enforcement of these cuts.

And so if you are a moderate Republican or a member of the minority that believes going down this path is unwise and sells out priorities of the American people, then you should not vote for this rule today. Anyone voting against that budget with concerns about these devastating cuts in nondefense discretionary spending should vote against this rule. It imposes the cuts on the appropriations process.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Pennsylvania (Mr. PETERSON) to try to correct an inaccuracy that was stated a little bit earlier.

Mr. PETERSON of Pennsylvania. I thank the gentleman for yielding, and I rise to support the rule. I would like to commend the committee and staff for good work in tough times.

Mr. Speaker, I think this House better get used to tough budgets if we are going to get a handle on the Federal deficit. We are not going to have a lot of surpluses, we are going to have to pass budgets and appropriations bills that leave us all a little painful because it is important that we get a handle on the fiscal affairs of this country.

In this bill there is a provision that was mentioned by the gentleman from Florida that removes the congressional moratorium for producing energy on the outer continental shelf. Now, why would I propose that in the committee? I am pleased to tell you why.

The industries of this country that provide the very best jobs we have left in America are being made non-competitive and have been non-competitive for several years because of high natural gas prices. Five years ago, the price of natural gas in America averaged \$2. Last year, the average price was \$9.50. You don't have to be very good in math to know that was a huge, huge increase. If it was gasoline at the pump, it would be \$7 gasoline to fill our cars.

This is preventing Americans from being warm in their homes, it is preventing Americans from being warm in their businesses. I was at a lot of businesses where it was 60 degrees and they were wearing jackets running their retail businesses. America cannot afford to be warm with energy prices increasing that fast.

Businesses, the petro-chemical industry, 55 percent of their cost is natural gas both as an ingredient and a fuel. Fertilizer, as high as 70 percent to make nitrogen fertilizer, the cost of natural gas. The steel industry, the aluminum industry, the glass industry, the brick industry will not remain in America unless we provide affordable natural gas.

Now, here is the tragedy. What people don't realize, when we pay \$75 for oil, the whole world does. When we paid

\$9.50 for gas last year and for 4 months it was \$14 and \$15, Europe was at \$6, China and Taiwan was at \$3.50, South America at \$1.80, Russia and North Africa at 90 cents.

Folks, we are driving the best blue collar working people jobs out of this country because they cannot afford to stay here. We have lost between three and five paper mills since the first of the year because of energy costs, and some of them put in new units within the last 1½ years.

□ 1115

Energy can make a company non-competitive overnight because of the use of energy. This government is the reason we are in trouble. We expanded the use of natural gas 10 or 12 years ago before I got here to make electricity.

Now a huge amount of our natural gas makes electricity, close to 20 percent. We did not open up supply. We are the only country in the world that has locked up the Outer Continental Shelf. I had a visitor from the U.K. yesterday. He said, Why do you people not produce in the OCS? Everybody does. Canada does right off the coast of Maine, right off the coast of Washington. Canada has been drilling for gas in Lake Erie since 1913 and selling the gas to us currently because we buy 17 percent of our gas this year from Canada.

Natural gas we are rich with. We have chosen to lock it up, and caused our homeowners to pay double and triple heating costs, our small businesses to become nonprofitable, and our large corporations to literally move away. We have lost several million jobs already because of energy costs, and we are going to lose millions more.

What I am going to tell you is it will not be the America we grew up in with lots of opportunity. The America we are going to leave is an America that decided to starve itself on the cleanest fuel known to man, the cleanest fossil fuel. Natural gas is the least polluting fuel, and those who today were talking about CO₂ and global warming, it produces much less CO₂ than all the other fossil fuels.

So, if we had the price down, it can become a major player in our transportation system. Not 5 years down the road, tomorrow. Every gasoline engine can run on natural gas. Our buses, our short-haul trucks, our construction vehicles could all be on natural gas with a modest change.

Natural gas can be the bridge to all the alternatives that are slowly moving forward. It can quadruple the savings that we can do with CAFE, and I am probably going to support that this time, but it is an immediate thing. Natural gas is what can keep America competitive until we get a handle on the other energies that can replace oil.

I urge you to not remove the moratorium. It does not threaten our coastline. We still have a presidential moratorium. We still have a 5-year plan that takes 2 years to implement and it is

not the end of that. It is the first step in saying we are going to deal with natural gas and energy in this country.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I would urge my colleague from Pennsylvania to understand that tourism is the major industry in Florida, and offshore gas drilling is nothing but the nose under the tent. There is no such thing as just gas drilling, and I do not have enough time, if you could get some time from Mr. BISHOP, I would be happy to engage you ad nauseam on this subject, but when Mr. PETERSON says that it is not going to be environmentally harmful, offshore gas drilling routinely dumps into the ocean spent drilling muds containing vast quantities of mercury and other toxins, contaminated produced waters that often contain radium and other dangerous substances, and additional harmful marine discharges that include benzene, toluene, lead, cadmium, and zinc.

Maybe Pennsylvania does not have the tourist industry that we do because that is right, you do not have an offshore. We do in Florida, and we are going to protect it.

Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from Indiana (Ms. CARSON), my good friend.

Ms. CARSON. Mr. Speaker, certainly I am very grateful to my dear friend from the State of Florida (Mr. HASTINGS).

Mr. Speaker, I rise in opposition to this rule, which does not protect the language added in committee regarding global climate change.

Global climate change is one of the most serious environmental threats of our time. Yet, this House has failed repeatedly to act on this issue or even acknowledge the bleak outlook voiced by many scientists.

Global temperatures are rising. This fact is indisputable. As we speak, sea levels are rising, glaciers are melting, and polar bears are drowning in the Arctic. There is a growing scientific consensus that human activities, primarily the burning of fossil fuels, have contributed to greenhouse gas accumulation in the atmosphere.

The effects of global warming are devastating. Approximately 160,000 people die each year from the side effects of global warming, which range from malaria to malnutrition to heat exhaustion in our seniors. If temperatures continue to rise, coastal flooding and drought could occur, and the intensity of hurricanes could increase.

In my neighborhood alone in Indianapolis, Indiana, we have finally got the EPA to look at the fact that it is the environment that is snapping away people's lives prematurely.

We have seen that voluntary limits on greenhouse gas emissions simply do not work. This bill currently includes language that recognizes our responsibility to establish a national program of mandatory, market-based limits and

incentives on emissions of greenhouse gases.

Mandating reductions in carbon emissions will spur innovation and help slow this moving trend. We have a moral imperative, Mr. Speaker, to future generations to address this threat because the cost of inaction is too high. We cannot let our legacy be one of destruction.

Thank you very much for your attention and your consideration. Vote against the rule and the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from New York (Mrs. MALONEY), my very good friend.

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding and for his outstanding work on this issue and so many others.

I rise in strong opposition to this rule. In this rule, the Rules Committee failed to report out important amendments that were approved by the Appropriations Committee, including the important Dicks-Obey language expressing the need to address global climate change. Why in the world can you not include that important issue in this bill?

This bill is woefully underfunded at \$800 million below the level needed to maintain current services, and I must say that a very important amendment that would save taxpayers money, the Hinchey amendment, was not included, although the committee supported it. His amendment would suspend the royalty relief program and authorize the Secretary of the Interior to renegotiate existing leases.

This would save taxpayers dollars. It would save dollars in our Treasury. Right now, in New York and L.A. and across this country, a gallon of gas costs more than \$3, while the oil and gas companies continue to make record profits. All of this is happening while the taxpayers are losing out in billions of dollars in royalty payments from oil and gas taken from land owned by the American people.

Earlier this year, the New York Times reported that the Federal Government will lose at least \$7 billion over the next 5 years in undercollected royalty payments. Why in the world will the majority not correct this program that would put money into the budget for student loans, to help the disadvantaged, to help our seniors? Yet, they would not include it and the underpayment continues, and that money rightfully belongs to the American people.

We are talking about oil and gas extracted from land owned by the American people with rip-off leases to the oil and gas companies where they are reporting record profits. What is wrong with having those leases negotiated to express fair market value so that the taxpayers and the Federal Government can have that money for the services that the people need?

It is a really terrible rule. They did not even include amendments that were passed out by the Appropriations Committee. Please vote "no."

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, I will be calling for a "no" vote on the previous question. If the previous question is defeated, I will amend the rule so we can consider Mr. OBEY's amendment to restore vital funding to the Interior appropriations bill, the amendment that was rejected in the Rules Committee last night on a straight party-line vote.

I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, the Interior appropriations bill is currently funded at \$145 million below the fiscal year 2006 level and \$800 million below the level that is needed just to maintain current services. These shortfalls will negatively impact our national parks and forests, critical environment and conservation programs, clean water programs, and services for Native Americans.

Mr. Speaker, the OBEY amendment would restore \$800 million to the bill to ensure that these vital programs and services are able to continue at current levels, and that amendment is fully paid for by reducing the tax break given to those fortunate individuals among us with incomes more than \$1 million annually. Their generous tax savings, which average \$114,000, would be reduced by \$2,000, certainly a small sacrifice to maintain these essential programs and services.

I want to assure my colleagues that a "no" vote will not prevent us from considering the Interior appropriations bill under an open rule, but a "no" vote will allow Members to vote on Representative OBEY's amendment. However, a "yes" vote will block consideration of this amendment to restore severe funding shortfalls in this bill.

Vote "no" on the previous question.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I find these opportunities exhilarating to say the least. There are a couple of things that I would like to point out.

We have spent a great deal of time talking about one of the provisions that is in this bill that deals with the drilling of natural gas, which is far different than the drilling of oil would be. It seems in Congress sometimes that we talk so much about the problem of heating in winter. We appropriate billions of dollars for the LIHEAP program so that Federal money can go directly through an individual over to

the utility companies, when it would seem logical or at least rational to try to explore in some way a way of increasing the availability so that all people have to pay less for heat for their homes in the winter, and that instead of trying to subsidize the poor, we try to solve the problem at its root.

It is difficult to sometimes be here and have people criticize the lack of natural energy, wanting to consume more without producing more, at the same time being critical of any efforts to actually increase that consumption possibility. Not only is this an issue that hits individuals in trying to heat their homes, but it also hits businesses, much of which runs on natural gas.

I have farmers in my constituency that cannot fertilize this year because there is not enough fertilizer being produced and because natural gas becomes a critical element in its production and its distribution form. Industries are not being able to operate because of that.

I do, though, want to thank Mr. HASTINGS for the very end talking about increasing fund because this is, after all, a funding bill. I do want to also talk about two issues that were raised in defense of the bill and defense of the position of the Rules Committee.

Section 2 of the resolution says that it is essential to allow the House to have the so-called deeming resolution, which means we deemed the budget resolution which was passed by the House last night as having force and effect until we can get a conference report. It is essential to move that forward if there is to be any kind of parameters and discussion over the debate. If we do reject this rule and subsequent rules on appropriations items which do that, we simply have the net effect of this body of postponing any rational discussion in a logical and determined way of any of the appropriations items.

□ 1130

We might as well just dust off the old omnibus bill, because that will be the end result of not moving forward in a rational and logical approach on each and every one of these budget areas. I don't think that is the appropriate tact that we as a body wish to take.

Secondly, I want to talk also about a couple of other provisions that have been criticized. In section 2 clause b it says: "A provision changing existing law may not be reported in a general appropriations bill." Over in rule 4 it says, "A bill or joint resolution carrying an appropriations may not be reported by a committee not having jurisdiction to report the appropriations."

What it basically means is that appropriation bills are supposed to be appropriating, authorizing bills should be for authorizing, and the function of the Rules Committee is to try and make sure those distinctions are clear. To be honest, we sometimes will fudge on that and put authorization language in

an appropriation bill if the authorizing committee agrees and does not object. In this particular situation, the Rules Committee did what it was supposed to do and simply said, where an authorizer objects to a provision in an appropriation bill they will have the opportunity to come forward and do just that.

One of the speakers said we pulled out certain amendments, or that we did not allow certain amendments to be in the bill. No, they are still in the bill. We did allow an authorizer to come in and exercise his right under the rules to protest that authorization language in an appropriation bill, and then we will deal with that issue when the time comes.

I am telling you that what I think the Rules Committee has done here with this open rule, so that any amendment that actually deals with the appropriation side is legitimate, is to protect the process as written in our rules. And if appropriators wish to be authorizers and authorizers wish to be appropriators, maybe they should look at trying to rearrange their committee schedules to accommodate that process.

This rule is a good rule because it follows the rules, it defends the process that we have, and it moves us forward in the debate. I feel comfortable with that. I feel comfortable with much of the actual appropriations in this particular bill.

I did have times when I was given a kind of start. As an old teacher, every time they said the word education my ears perked up, because I was wondering where education fits into this bill. And then I realized we are debating a whole lot of other issues not necessarily related to this appropriations process.

I do want to say something that is extremely personal to me as it deals with potential taxes. The last time my party did not control the House and the Senate and the Presidency, the solution to our budget situation was the largest tax increase in the history of this country, and it started out with the concept of taxing the rich. I was a school teacher. My taxes increased at a greater percentage and with a greater dollar amount than ever in my lifetime. My wife had just taken a part-time job that year. Everything she made in that part-time job went to pay for the tax increase, supposedly on the rich.

I guess I should be grateful to the Congress that at that time, as a school-teacher, I was labeled as one of the rich in this country. But that was the reality. And if indeed we never go back to those days again, I will be grateful and I will be happy.

Mr. Speaker, this is a good rule. This is a good bill. It will be talked about at length today, and I am sure will be amended in appropriate ways as time goes on, but it is still a good bill and I urge the adoption of the rule.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION FOR H. RES. 818—RULE FOR H.R. 5386 THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FY2007

At the end of the resolution, add the following new sections:

“SEC. 3. Notwithstanding any other provision of this resolution, the amendment printed in section 4 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Obey of Wisconsin or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 4. The amendment referred to in section 3 is as follows:

At the end of the bill (before the short title), insert the following:

TITLE VI—ENHANCED APPROPRIATIONS FOR CONSERVATION, RECREATION, THE ENVIRONMENT, AND NATIVE AMERICANS

SEC. 601. In addition to the amounts otherwise made available by this Act, the following sums, to remain available until expended, are appropriated:

(1) \$300,000,000 for clean air and water programs administered by the Environmental Protection Agency as follows:

(A) \$250,000,000 for the Clean Water State Revolving Fund, as authorized by title VI of the Federal Water Pollution Control Act.

(B) \$50,000,000 for clean diesel and homeland security programs, as requested in the President's budget.

(2) \$300,000,000 for protection of Federal lands administered by the Department of the Interior and the United States Forest Service as follows:

(A) \$100,000,000 to address maintenance backlogs within the national parks, refuges, forests, and other lands of the United States.

(B) \$150,000,000 for acquisition and preservation of priority lands within the national parks, refuges, and forests when such lands are threatened by development activities that could restrict access to such lands in the future by the American people.

(C) \$50,000,000 to address staffing shortages for visitor services at national parks and national wildlife refuges.

(3) \$30,000,000 for grants to States administered by the National Park Service for support of conservation and recreation programs within the States.

(4) \$20,000,000 for the State and Tribal Wildlife Grants program administered by the United States Fish and Wildlife Service.

(5) \$50,000,000 for “Payments in Lieu of Taxes” as administered by the Secretary of the Interior and as authorized by sections 6901 through 6907 of title 31, United States Code.

(6) \$50,000,000 for “Indian Health Services” for support of expanded clinical health services to Native Americans.

(7) \$50,000,000 for “Bureau of Indian Affairs—Operation of Indian Programs” for support of educational services to Native Americans.

SEC. 602. In the case of taxpayers with income in excess of \$1,000,000, for calendar year 2007 the amount of tax reduction resulting from the enactment of Public Laws 107–16, 108–27, and 108–311 shall be reduced by 1.94 percent.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Republican majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and, with gratitude that we are done at this point, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of H. Res. 818, if ordered; and motion to suspend the rules on H. Res. 795.

The vote was taken by electronic device, and there were—yeas 218, nays 191, not voting 23, as follows:

[Roll No. 160]

YEAS—218

Aderholt	Gilchrest	Ney
Akin	Gillmor	Northup
Alexander	Gingrey	Norwood
Baker	Gohmert	Nunes
Barrett (SC)	Goode	Nussle
Bartlett (MD)	Goodlatte	Osborne
Barton (TX)	Granger	Otter
Bass	Graves	Oxley
Beauprez	Green (WI)	Paul
Biggert	Gutknecht	Pearce
Bilirakis	Hall	Pence
Bishop (UT)	Harris	Peterson (PA)
Blackburn	Hart	Petri
Blunt	Hastings (WA)	Pickering
Boehrlert	Hayes	Pitts
Boehner	Hefley	Platts
Bonilla	Hensarling	Poe
Bonner	Herger	Pombo
Bono	Hobson	Porter
Boozman	Hoekstra	Price (GA)
Boustany	Hostettler	Pryce (OH)
Bradley (NH)	Hulshof	Putnam
Brown (SC)	Hunter	Radanovich
Brown-Waite,	Hyde	Ramstad
Ginny	Inglis (SC)	Regula
Burgess	Issa	Rehberg
Burton (IN)	Istook	Reichert
Buyer	Jenkins	Renzi
Calvert	Jindal	Rogers (AL)
Camp (MI)	Johnson (CT)	Rogers (KY)
Campbell (CA)	Johnson (IL)	Rogers (MI)
Cannon	Johnson, Sam	Rohrabacher
Cantor	Jones (NC)	Ros-Lehtinen
Capito	Keller	Royce
Carter	Kelly	Ryan (WI)
Castle	Kennedy (MN)	Ryun (KS)
Chabot	King (IA)	Saxton
Chocola	King (NY)	Schmidt
Coble	Kingston	Schwarz (MI)
Cole (OK)	Kirk	Sensenbrenner
Conaway	Kline	Sessions
Crenshaw	Knollenberg	Shaw
Cubin	Kuhl (NY)	Shays
Culberson	LaHood	Sherwood
Davis (KY)	Latham	Shimkus
Davis, Jo Ann	LaTourette	Shuster
Deal (GA)	Lewis (CA)	Simmons
DeLay	Lewis (KY)	Simpson
Dent	Linder	Smith (NJ)
Diaz-Balart, L.	LoBiondo	Smith (TX)
Diaz-Balart, M.	Lucas	Sodrel
Doolittle	Lungren, Daniel	Souder
Drake	E.	Stearns
Dreier	Mack	Sullivan
Duncan	Manzullo	Sweeney
Ehlers	Marchant	Tancred
Emerson	McCaul (TX)	Taylor (NC)
English (PA)	McCotter	Terry
Everett	McCrery	Thomas
Feeney	McHenry	Thornberry
Ferguson	McHugh	Tiahrt
Fitzpatrick (PA)	McKeon	Tiberi
Foley	McMorris	Turner
Forbes	Mica	Upton
Fortenberry	Miller (FL)	Walden (OR)
Fossella	Miller (MI)	Walsh
Fox	Miller, Gary	Wamp
Frelinghuysen	Moran (KS)	Weldon (FL)
Gallegly	Murphy	Weller
Garrett (NJ)	Musgrave	Westmoreland
Gerlach	Myrick	
Gibbons	Neugebauer	

Whitfield Wilson (NM) Young (AK)
Wicker Wilson (SC) Young (FL)

NAYS—191

Abercrombie Green, Al Oberstar
Ackerman Green, Gene Obey
Allen Grijalva Oliver
Andrews Gutierrez Ortiz
Baca Harman Owens
Baird Hastings (FL) Pallone
Baldwin Herseth Pascrell
Barrow Higgins Pastor
Bean Hinchey Payne
Becerra Holden Pelosi
Berkley Holt Peterson (MN)
Berman Honda Pomeroy
Berry Hooley Price (NC)
Bishop (GA) Inslee Rahall
Bishop (NY) Israel Rangel
Blumenauer Jackson (IL) Reyes
Boren Jackson-Lee Ross
Boswell (TX) Rothman
Boucher Jefferson Roybal-Allard
Boyd Johnson, E. B. Ruppersberger
Brady (PA) Jones (OH) Rush
Brown (OH) Kanjorski Ryan (OH)
Brown, Corrine Kaptur Sabo
Butterfield Kildee Salazar
Capps Kilpatrick (MI) Sanchez, Linda
Capuano Kind T.
Cardoza Kucinich Sanchez, Loretta
Carnahan Langevin Sanders
Carson Lantos Schakowsky
Case Larsen (WA) Schiff
Chandler Lee Schwartz (PA)
Clay Levin Scott (GA)
Cleaver Lewis (GA) Scott (VA)
Clyburn Lipinski Serrano
Conyers Lofgren, Zoe Sherman
Cooper Lowey Skelton
Costa Lynch Slaughter
Costello Maloney Smith (WA)
Cramer Markey Snyder
Crowley Marshall Solis
Cuellar Matheson Spratt
Davis (AL) Matsui Stark
Davis (CA) McCarthy Strickland
Davis (FL) McCollum (MN) Tanner
Davis (IL) McDermott Tauscher
Davis (TN) McGovern Taylor (MS)
DeFazio McIntyre Thompson (CA)
DeGette McKinney Thompson (MS)
Delahunt McNulty Tierney
DeLauro Meehan Towns
Dicks Meek (FL) Udall (CO)
Dingell Meeks (NY) Udall (NM)
Doggett Melancon Van Hollen
Doyle Michaud Velázquez
Edwards Millender Visclosky
Emanuel McDonald Wasserman
Engel Miller (NC) Schultz
Eshoo Miller, George Waters
Etheridge Mollohan Watson
Farr Moore (KS) Watt
Filner Moore (WI) Waxman
Ford Murtha Weiner
Frank (MA) Nadler Wexler
Gonzalez Napolitano Woolsey
Gordon Neal (MA) Wu

NOT VOTING—23

Bachus Franks (AZ) Moran (VA)
Brady (TX) Hayworth Reynolds
Cardin Hinojosa Shadegg
Cummings Hoyer Stupak
Davis, Tom Kennedy (RI) Weldon (PA)
Evans Kolbe Wolf
Fattah Larson (CT) Wynn
Flake Leach

□ 1158

Mr. BRADY of Pennsylvania, Ms. DEGETTE, Mr. HINCHEY, Ms. BALDWIN and Messrs. THOMPSON of Mississippi, HOLT, and JACKSON of Illinois changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 160, had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 192, not voting 22, as follows:

[Roll No. 161]

AYES—218

Aderholt Gingrey Osborne
Akin Gohmert Otter
Alexander Goode Oxley
Bachus Goodlatte Paul
Baker Granger Pearce
Barrett (SC) Graves Pence
Bartlett (MD) Green (WI) Peterson (PA)
Barton (TX) Gutknecht Petri
Bass Hall Pickering
Beauprez Harris Pitts
Biggerl Hart
Bilirakis Hastings (WA) Platts
Bishop (UT) Hayes Poe
Blackburn Hefley Pomo
Blunt Hensarling Porter
Boehlert Herger Price (GA)
Boehner Hobson Pryce (OH)
Bonilla Hoekstra Putnam
Bonner Hostettler Radanovich
Bono Hulshof Ramstad
Boozman Hunter Regula
Boustany Hyde Rehberg
Bradley (NH) Inglis (SC) Reichert
Brown (SC) Issa Renzi
Brown-Waite, Istook Rogers (AL)
Ginny Jenkins Rogers (KY)
Burgess Jindal Rogers (MI)
Burton (IN) Johnson (CT) Rohrabacher
Buyer Johnson (IL) Ros-Lehtinen
Calvert Johnson, Sam Royce
Camp (MI) Jones (NC) Ryan (WI)
Campbell (CA) Keller Ryun (KS)
Cannon Kelly Saxton
Cantor Kennedy (MN) Schmidt
Capito King (IA) Schwarz (MI)
Carter King (NY) Sensenbrenner
Castle Kingston Sessions
Chabot Kirk Shaw
Chocola Kline Shays
Coble Knollenberg Sherwood
Cole (OK) Kuhl (NY) Shimkus
Conaway LaHood Shuster
Crenshaw Latham Simmons
Cubin LaTourette Simpson
Culberson Lewis (CA) Smith (NJ)
Davis (KY) Lewis (KY) Smith (TX)
Davis, Jo Ann Linder Sodrel
Deal (GA) LoBiondo Souder
DeLay Lucas Stearns
Dent Lungren, Daniel Sullivan
Diaz-Balart, L. E. Sweeney
Diaz-Balart, M. Mack Tancredo
Doolittle Manzullo Taylor (NC)
Drake Marchant Terry
Dreier McCotter Thomas
Duncan McCrery Thornberry
Ehlers McHenry Tiahrt
Emerson McHugh Tiberi
English (PA) McKeon Turner
Everett McMorris Upton
Ferguson Mica Walden (OR)
Fitzpatrick (PA) Miller (FL) Walsh
Foley Miller (MI) Wamp
Forbes Miller, Gary Weldon (FL)
Fortenberry Moran (KS) Weldon (PA)
Fossella Murphy Weller
Foxy Musgrave Westmoreland
Frelinghuysen Myrick Whitfield
Gallegly Neugebauer Wicker
Garrett (NJ) Ney Wilson (NM)
Gerlach Northup Wilson (SC)
Gibbons Norwood Young (AK)
Gilchrist Nunes Young (FL)
Gillmor Nussle

NOES—192

Abercrombie Barrow Bishop (NY)
Ackerman Bean Blumenauer
Allen Boren Boren
Andrews Berkley Boswell
Baca Berman Boucher
Baird Berry Boyd
Baldwin Bishop (GA) Brady (PA)

Brown (OH) Inslee
Brown, Corrine Israel
Butterfield Jackson (IL)
Capps Jackson-Lee
Capuano (TX)
Cardoza Jefferson
Carnahan Johnson, E. B.
Carson Jones (OH)
Case Kanjorski
Chandler Kaptur
Clay Kildee
Cleaver Kilpatrick (MI)
Clyburn Kind
Conyers Kucinich
Cooper Langevin
Costa Lantos
Costello Larsen (WA)
Cramer Lee
Crowley Levin
Cuellar Lewis (GA)
Davis (AL) Lipinski
Davis (CA) Lofgren, Zoe
Davis (FL) Lowey
Davis (IL) Lynch
Davis (TN) Maloney
DeFazio Markey
DeGette Marshall
Delahunt Matheson
DeLauro Matsui
Dicks McCarthy
Dingell McCollum (MN)
Doggett McDermott
Doyle McGovern
Edwards McIntyre
Emanuel McMully
Engel Meehan
Eshoo Meek (FL)
Etheridge Meeks (NY)
Farr Melancon
Fattah Michaud
Filner Millender
Ford McDonald
Frank (MA) Miller (NC)
Gonzalez Miller, George
Gordon Mollohan
Green, Al Moore (KS)
Green, Gene Moore (WI)
Grijalva Murtha
Gutierrez Nadler
Harman Napolitano
Hastings (FL) Neal (MA)
Herseth Oberstar
Higgins Obey
Hinchey Oliver
Hinojosa Ortiz
Holden Owens
Holt Pallone
Honda Pascrell
Hooley Pastor

NOT VOTING—22

Brady (TX) Hayworth Moran (VA)
Cardin Hoyer Reynolds
Cummings Kennedy (RI) Shadegg
Davis, Tom Kolbe Stupak
Evans Larson (CT) Wolf
Feeney Leach Wynn
Flake McCaul (TX)
Franks (AZ) McKinney

□ 1207

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONDEMNING IN THE STRONGEST TERMS THE TERRORIST ATTACKS IN DAHAB AND NORTHERN SINAI, EGYPT, ON APRIL 24 AND 26, 2006

The SPEAKER pro tempore (Mr. BONNER). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 795.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. MCCOTTER) that the House suspend the

rules and agree to the resolution, H. Res. 795, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 162]

YEAS—409

Abercrombie	Davis (CA)	Hulshof
Ackerman	Davis (FL)	Hunter
Aderholt	Davis (IL)	Hyde
Akin	Davis (KY)	Inglis (SC)
Alexander	Davis (TN)	Inslee
Allen	Davis, Jo Ann	Israel
Andrews	Deal (GA)	Issa
Baca	DeFazio	Istook
Bachus	DeGette	Jackson (IL)
Baird	Delahunt	Jackson-Lee
Baker	DeLauro	(TX)
Baldwin	DeLay	Jefferson
Barrett (SC)	Dent	Jenkins
Barrow	Diaz-Balart, L.	Jindal
Bartlett (MD)	Diaz-Balart, M.	Johnson (CT)
Barton (TX)	Dicks	Johnson (IL)
Bass	Dingell	Johnson, E. B.
Bean	Doggett	Johnson, Sam
Beauprez	Doolittle	Jones (NC)
Becerra	Doyle	Jones (OH)
Berkley	Drake	Kanjorski
Berry	Dreier	Kaptur
Biggart	Duncan	Keller
Bilirakis	Edwards	Kelly
Bishop (GA)	Ehlers	Kennedy (MN)
Bishop (NY)	Emanuel	Kildee
Bishop (UT)	Emerson	Kilpatrick (MI)
Blackburn	Engel	Kind
Blumenauer	English (PA)	King (IA)
Blunt	Eshoo	King (NY)
Boehlert	Etheridge	Kingston
Boehner	Everett	Kirk
Bonilla	Farr	Kline
Bonner	Fattah	Knollenberg
Bono	Feeney	Kucinich
Boozman	Ferguson	Kuhl (NY)
Boren	Filner	LaHood
Boswell	Fitzpatrick (PA)	Langevin
Boucher	Foley	Lantos
Boustany	Forbes	Larsen (WA)
Boyd	Ford	Latham
Bradley (NH)	Fortenberry	LaTourette
Brady (PA)	Fossella	Lee
Brady (TX)	Fox	Levin
Brown (OH)	Frank (MA)	Lewis (CA)
Brown (SC)	Frelinghuysen	Lewis (GA)
Brown, Corrine	Gallely	Lewis (KY)
Brown-Waite,	Garrett (NJ)	Linder
Ginny	Gerlach	Lipinski
Burgess	Gibbons	LoBiondo
Burton (IN)	Gilchrest	Lofgren, Zoe
Butterfield	Gillmor	Lowe
Buyer	Gingrey	Lucas
Calvert	Gohmert	Lungren, Daniel
Camp (MI)	Gonzalez	E.
Campbell (CA)	Goode	Lynch
Cannon	Goodlatte	Mack
Cantor	Gordon	Maloney
Capito	Granger	Manzullo
Capps	Graves	Marchant
Capuano	Green (WI)	Markey
Cardoza	Green, Al	Marshall
Carnahan	Green, Gene	Matheson
Carson	Grijalva	Matsui
Carter	Gutierrez	McCarthy
Case	Gutknecht	McCaul (TX)
Castle	Hall	McCollum (MN)
Chabot	Harman	McCotter
Chandler	Harris	McCrery
Chocoma	Hart	McDermott
Clay	Hastings (FL)	McGovern
Cleaver	Hastings (WA)	McHenry
Clyburn	Hayes	McHugh
Coble	Hefley	McIntyre
Cole (OK)	Hensarling	McKeon
Conaway	Herger	McKinney
Conyers	Hersteth	McMorris
Cooper	Higgins	McNulty
Costa	Hinchey	Meehan
Costello	Hinojosa	Meek (FL)
Cramer	Hobson	Meeks (NY)
Crenshaw	Hoekstra	Melancon
Crowley	Holden	Mica
Cubin	Holt	Michaud
Cuellar	Honda	Millender-
Culberson	Hooley	McDonald
Davis (AL)	Hostettler	Miller (FL)

Miller (MI)	Ramstad	Solis
Miller (NC)	Rangel	Souder
Miller, Gary	Regula	Spratt
Miller, George	Rehberg	Stark
Mollohan	Reichert	Strickland
Moore (KS)	Renzi	Sullivan
Moore (WI)	Reyes	Sweeney
Moran (KS)	Rogers (AL)	Tancredo
Murphy	Rogers (KY)	Tanner
Murtha	Rogers (MI)	Tauscher
Musgrave	Rohrabacher	Taylor (MS)
Myrick	Ros-Lehtinen	Taylor (NC)
Nadler	Ross	Terry
Napolitano	Rothman	Thomas
Neal (MA)	Roybal-Allard	Thompson (CA)
Neugebauer	Royce	Thompson (MS)
Ney	Ruppersberger	Thornberry
Northup	Rush	Tiahrt
Norwood	Ryan (OH)	Tiberi
Nunes	Ryan (WI)	Tierney
Nussle	Ryun (KS)	Towns
Oberstar	Sabo	Turner
Obey	Salazar	Udall (CO)
Oliver	Sánchez, Linda	Udall (NM)
Ortiz	T.	Upton
Osborne	Sanchez, Loretta	Van Hollen
Otter	Sanders	Velázquez
Owens	Saxton	Visclosky
Oxley	Schakowsky	Walden (OR)
Pallone	Schiff	Walsh
Pascarell	Schmidt	Wamp
Pastor	Schwartz (PA)	Wasserman
Paul	Schwarz (MI)	Schultz
Payne	Scott (GA)	Waters
Pearce	Scott (VA)	Watson
Pelosi	Sensenbrenner	Watt
Pence	Serrano	Waxman
Peterson (MN)	Sessions	Weiner
Peterson (PA)	Shaw	Weldon (FL)
Petri	Shays	Weldon (PA)
Pitts	Sherman	Weller
Platts	Shimkus	Westmoreland
Poe	Shuster	Wexler
Pombo	Simmons	Whitfield
Pomeroy	Simpson	Wicker
Porter	Skelton	Wilson (NM)
Price (GA)	Slaughter	Wilson (SC)
Price (NC)	Smith (NJ)	Woolsey
Pryce (OH)	Smith (TX)	Young (AK)
Putnam	Smith (WA)	Young (FL)
Radanovich	Snyder	
Rahall	Sodrel	

NOT VOTING—23

Berman	Hoyer	Shadegg
Cardin	Kennedy (RI)	Sherwood
Cummings	Kolbe	Stearns
Davis, Tom	Larson (CT)	Stupak
Evans	Leach	Wolf
Flake	Moran (VA)	Wu
Franks (AZ)	Pickering	Wynn
Hayworth	Reynolds	

□ 1217

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CARDIN. Mr. Speaker, earlier today, I was unavoidably detained and missed three rollcall votes.

Had I been present, I would have voted "no" on rollcall vote No. 160; "no" on rollcall vote No. 161; and "yea" on rollcall vote No. 162.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 5386, and that I may include tabular and extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 818 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5386.

The Chair designates the gentleman from Ohio (Mr. LATOURETTE) as chairman of the Committee of the Whole, and requests the gentleman from New York (Mr. KUHLM) to assume the chair temporarily.

□ 1220

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. KUHLM (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we bring to the House floor the 2007 budget for the Department of the Interior, environment, and related agencies. This bill provides \$25.9 billion, which is \$418 million above the budget request and \$145 million below the 2006 enacted level.

It has been a challenging year and difficult choices were made to stay within our allocation for the bill. In keeping with long-standing tradition, this bill has been developed as a bipartisan effort and focuses funding increases on the operations of our national parks and other public lands; Indian programs, including health and education; forest health; and preservation of our national cultural treasures.

In order to provide these increases, there are decreases to many grants programs and there are limited new construction and land acquisition projects. In most cases, these choices are not a reflection on the effectiveness of the programs being reduced, but rather reflect the committee's belief that mission-essential Federal programs like the national parks, National Forest and Native American programs must be the number one priority.

While we appreciate input from the administration each year, we have made some significant changes to the request, including restoring funds for Johnson O'Malley Education Grants in the Bureau of Indian Affairs; restoring funds for the operations of 32 urban Indian health clinics; restoring funds for PILT; restoring funds for Superfund remediation and environmental education, and research in EPA; restoring funds for forest health and forest road maintenance; and restoring funds for National Heritage Areas and for U.S. Geological Survey mineral assessments.

We have provided significant increases to support the operations of our national parks and the Indian Health Service, and we fully fund the National Fire Plan.

One area that deserves particular mention, in which we have supported

the administration's budget proposal, is the energy area. In the Bureau of Land Management, there are significant increases that will enable us to expedite the permitting of on-shore oil and gas exploration and development on Federal lands. In EPA, we were unable to provide all the requested increases that were associated with the Energy Policy Act of 2005, but we have provided significant increases, including \$26 million for the National Clean Diesel Initiative.

This committee, and this member in particular, soundly rejects the administration's proposal to sell National Forest lands throughout the country, and we think this will not be happening.

We have eliminated Stateside Land and Water Grants, the Forest Service Economic Action Program, the BLM

Rural Fire Program, and the Asia Pacific Partnership in EPA.

This is a responsible bill that is focused on protecting Federal lands, Indian programs, environmental programs, cultural programs, and other programs under the committee's jurisdiction. I urge you to support this bill.

The Ways and Means Committee has recommended that we make a technical change in the appropriations language for the Leaking Underground Storage Tank program in EPA, and we will do that in the final conference agreement.

Mr. Chairman, I include for the RECORD a table detailing the various accounts in the bill. I want to thank our staff, and my colleague, Mr. DICKS, and his staff for the fine work that they have done in preparing the bill and the cooperation they have shown.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2007 (H.R.5386)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources.....	848,132	863,244	867,738	+19,606	+4,494
Rescission (P.L. 109-148).....	-500	---	---	+500	---
Wildland fire management:					
Preparedness.....	268,839	274,801	274,801	+5,962	---
Fire suppression operations.....	230,721	257,041	257,041	+26,320	---
Other operations.....	255,726	237,718	237,411	-18,315	-307
Subtotal.....	755,286	769,560	769,253	+13,967	-307
Construction.....	11,750	6,476	11,476	-274	+5,000
Land acquisition.....	8,621	8,767	3,067	-5,554	-5,700
Oregon and California grant lands.....	108,451	112,408	111,408	+2,957	-1,000
Range improvements (indefinite).....	10,000	10,000	10,000	---	---
Service charges, deposits, & forfeitures (indefinite).....	25,483	25,483	25,483	---	---
Offsetting fee collections.....	-25,483	-25,483	-25,483	---	---
Miscellaneous trust funds (indefinite).....	12,405	12,405	12,405	---	---
Total, Bureau of Land Management.....	1,754,145	1,782,860	1,785,347	+31,202	+2,487
United States Fish and Wildlife Service					
Resource management.....	994,037	995,594	1,016,669	+22,632	+21,075
Emergency appropriations (P.L. 109-148).....	7,398	---	---	-7,398	---
Construction.....	45,216	19,722	39,756	-5,460	+20,034
Emergency appropriations (P.L. 109-148).....	30,000	---	---	-30,000	---
Land acquisition.....	27,990	27,079	19,751	-8,239	-7,328
Landowner incentive program.....	23,667	24,400	15,000	-8,667	-9,400
Rescission (P.L. 109-148).....	-2,000	---	---	+2,000	---
Private stewardship grants.....	7,277	9,400	7,000	-277	-2,400
Cooperative endangered species conservation fund.....	81,001	80,001	80,507	-494	+506
Rescission (P.L. 109-148).....	-1,000	---	---	+1,000	---
National wildlife refuge fund.....	14,202	10,811	14,202	---	+3,391
North American wetlands conservation fund.....	39,412	41,646	36,646	-2,766	-5,000
Neotropical migratory birds conservation fund.....	3,941	---	4,000	+59	+4,000
Multinational species conservation fund.....	6,404	8,217	6,057	-347	-2,160
State and tribal wildlife grants.....	67,492	74,666	50,000	-17,492	-24,666
Total, United States Fish and Wildlife Service..	1,345,037	1,291,536	1,289,588	-55,449	-1,948
National Park Service					
Operation of the national park system.....	1,718,415	1,742,317	1,754,317	+35,902	+12,000
Emergency appropriations (P.L. 109-148).....	525	---	---	-525	---
United States Park Police.....	80,213	84,775	84,775	+4,562	---
National recreation and preservation.....	54,156	33,261	47,161	-6,995	+13,900
Historic preservation fund.....	72,172	71,858	58,658	-13,514	-13,200
Construction and major maintenance.....	313,858	229,269	229,934	-83,924	+665
Emergency appropriations (P.L. 109-148).....	19,000	---	---	-19,000	---
Land and water conservation fund (rescission of contract authority).....	-30,000	-30,000	-30,000	---	---
Land acquisition and state assistance.....	63,954	24,343	29,995	-33,959	+5,652
Use of prior year balances.....	-17,000	---	---	+17,000	---
Total, National Park Service (net).....	2,275,293	2,155,823	2,174,840	-100,453	+19,017
United States Geological Survey					
Surveys, investigations, and research.....	961,675	944,760	991,447	+29,772	+46,687
Emergency appropriations (P.L. 109-148).....	8,970	---	---	-8,970	---
Total, United States Geological Survey.....	970,645	944,760	991,447	+20,802	+46,687

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2007 (H.R.5386)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Minerals Management Service					
Royalty and offshore minerals management.....	274,121	285,381	286,226	+12,105	+845
Use of receipts.....	-122,730	-128,730	-128,730	-6,000	---
Emergency appropriations (P.L. 109-148).....	16,000	---	---	-16,000	---
Oil spill research.....	6,903	6,903	6,903	---	---
Total, Minerals Management Service.....	174,294	163,554	164,399	-9,895	+845
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology.....	108,810	112,109	112,109	+3,299	---
Receipts from performance bond forfeitures (indefinite).....	99	100	100	+1	---
Subtotal.....	108,909	112,209	112,209	+3,300	---
Abandoned mine reclamation fund (definite, trust fund)	185,248	185,936	185,936	+688	---
Total, Office of Surface Mining Reclamation and Enforcement.....	294,157	298,145	298,145	+3,988	---
Bureau of Indian Affairs					
Operation of Indian programs.....	1,962,190	1,966,594	1,973,403	+11,213	+6,809
Construction.....	271,582	215,049	215,799	-55,783	+750
Indian land and water claim settlements and miscellaneous payments to Indians.....	34,243	33,946	39,213	+4,970	+5,267
Indian guaranteed loan program account.....	6,255	6,262	6,262	+7	---
Total, Bureau of Indian Affairs.....	2,274,270	2,221,851	2,234,677	-39,593	+12,826
Departmental Offices					
Insular Affairs:					
Assistance to Territories.....	48,440	46,641	49,841	+1,401	+3,200
Northern Marianas.....	27,720	27,720	27,720	---	---
Subtotal.....	76,160	74,361	77,561	+1,401	+3,200
Compact of Free Association.....	3,313	2,862	3,362	+49	+500
Mandatory payments.....	2,000	2,000	2,000	---	---
Subtotal.....	5,313	4,862	5,362	+49	+500
Total, Insular Affairs.....	81,473	79,223	82,923	+1,450	+3,700
Departmental management.....	130,238	118,845	118,303	-11,935	-542
Payments in lieu of taxes.....	232,528	198,000	228,000	-4,528	+30,000
Central hazardous materials fund.....	9,710	9,923	9,923	+213	---
Office of the Solicitor.....	54,624	56,755	56,755	+2,131	---
Office of Inspector General.....	38,541	40,699	39,688	+1,147	-1,011
Office of Special Trustee for American Indians					
Federal trust programs.....	188,774	185,036	150,036	-38,738	-35,000
Indian land consolidation.....	34,006	59,449	34,006	---	-25,443
Total, Office of Special Trustee for American Indians.....	222,780	244,485	184,042	-38,738	-60,443

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2007 (H.R.5386)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Natural resource damage assessment fund.....	6,016	6,109	6,109	+93	---
Total, Departmental Offices.....	775,910	754,039	725,743	-50,167	-28,296
=====					
Total, title I, Department of the Interior.....	9,863,751	9,612,568	9,664,186	-199,565	+51,618
Appropriations.....	(9,815,358)	(9,642,568)	(9,694,186)	(-121,172)	(+51,618)
Emergency appropriations.....	(81,893)	---	---	(-81,893)	---
Rescission.....	(-33,500)	(-30,000)	(-30,000)	(+3,500)	---
=====					
TITLE II - ENVIRONMENTAL PROTECTION AGENCY					
Science and technology.....	730,810	788,274	808,044	+77,234	+19,770
(By transfer from Hazardous substance superfund)...	(30,156)	(27,811)	(30,011)	(-145)	(+2,200)
Environmental programs and management.....	2,346,711	2,306,617	2,336,442	-10,269	+29,825
Office of Inspector General.....	36,904	35,100	35,100	-1,804	---
(By transfer from Hazardous substance superfund)...	(13,337)	(13,316)	(13,316)	(-21)	---
Buildings and facilities.....	39,626	39,816	39,816	+190	---
Hazardous substance superfund.....	1,242,074	1,258,955	1,256,855	+14,781	-2,100
Transfer to Office of Inspector General.....	(-13,337)	(-13,316)	(-13,316)	(+21)	---
Transfer to Science and Technology.....	(-30,156)	(-27,811)	(-30,011)	(+145)	(-2,200)
Leaking underground storage tank program.....	71,953	72,759	72,759	+806	---
Emergency appropriations (P.L.109-148).....	8,000	---	---	-8,000	---
Oil spill response.....	15,629	16,506	16,506	+877	---
Pesticide registration fund.....	15,000	10,000	10,000	-5,000	---
Pesticide registration fees.....	-15,000	-10,000	-10,000	+5,000	---
State and tribal assistance grants.....	2,100,634	1,708,264	1,884,764	-215,870	+176,500
Categorical grants.....	1,113,075	1,089,184	1,122,584	+9,509	+33,400
Subtotal, State and tribal assistance grants....	3,213,709	2,797,448	3,007,348	-206,361	+209,900
Rescissions (various EPA accounts).....	-80,000	---	---	+80,000	---
=====					
Total, title II, Environmental Protection Agency.....	7,625,416	7,315,475	7,572,870	-52,546	+257,395
Appropriations.....	(7,697,416)	(7,315,475)	(7,572,870)	(-124,546)	(+257,395)
Emergency appropriations.....	(8,000)	---	---	(-8,000)	---
Rescissions.....	(-80,000)	---	---	(+80,000)	---
(Transfer out).....	(-43,493)	(-41,127)	(-43,327)	(+166)	(-2,200)
(By transfer).....	(43,493)	(41,127)	(43,327)	(-166)	(+2,200)
=====					

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2007 (H.R.5386)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE III - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest and rangeland research.....	277,711	267,791	280,318	+2,607	+12,527
State and private forestry.....	278,966	244,410	228,608	-50,358	-15,802
Emergency appropriations (P.L. 109-148).....	30,000	---	---	-30,000	---
National forest system.....	1,415,646	1,398,066	1,445,659	+30,013	+47,593
Emergency appropriations (P.L. 109-148).....	20,000	---	---	-20,000	---
Wildland fire management:					
Preparedness.....	660,705	655,887	655,887	-4,818	---
Fire suppression operations.....	690,186	746,176	741,477	+51,291	-4,699
Other operations.....	395,200	366,132	413,202	+18,002	+47,070
Subtotal.....	1,746,091	1,768,195	1,810,566	+64,475	+42,371
Capital improvement and maintenance.....	431,334	382,601	411,025	-20,309	+28,424
Emergency appropriations (P.L. 109-148).....	7,000	---	---	-7,000	---
Land acquisition.....	41,772	25,075	7,500	-34,272	-17,575
Acquisition of lands for national forests, special acts.....	1,053	1,053	1,053	---	---
Acquisition of lands to complete land exchanges (indefinite).....	231	231	231	---	---
Range betterment fund (indefinite).....	2,920	3,932	3,932	+1,012	---
Gifts, donations and bequests for forest and rangeland research.....	63	63	63	---	---
Management of national forest lands for subsistence uses.....	4,975	5,311	5,311	+336	---
Total, Forest Service.....	4,257,762	4,096,728	4,194,266	-63,496	+97,538
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services:					
Non-contract services.....	2,174,802	2,268,241	2,275,877	+101,075	+7,636
Contract care.....	499,562	536,259	536,259	+36,697	---
Catastrophic health emergency fund.....	17,735	18,000	18,000	+265	---
Total, Indian health services.....	2,692,099	2,822,500	2,830,136	+138,037	+7,636
Indian health facilities.....	353,211	347,287	363,573	+10,362	+16,286
Total, Indian Health Service.....	3,045,310	3,169,787	3,193,709	+148,399	+23,922
National Institute of Health					
National Institute of Environmental Health Sciences...	79,108	78,414	79,414	+306	+1,000
Agency for Toxic Substances and Disease Registry					
Toxic substances and environmental public health.....	74,905	75,004	76,754	+1,849	+1,750
Total, Department of Health and Human Services..	3,199,323	3,323,205	3,349,877	+150,554	+26,672
OTHER RELATED AGENCIES					
Executive Office of the President					
Council on Environmental Quality and Office of Environmental Quality.....	2,677	2,627	2,627	-50	---
Chemical Safety and Hazard Investigation Board					
Salaries and expenses.....	9,064	9,108	9,208	+144	+100

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2007 (H.R.5386)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses.....	8,474	5,940	5,940	-2,534	---
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute.....	6,207	6,703	6,703	+496	---
Smithsonian Institution					
Salaries and expenses.....	516,568	537,394	517,094	+526	-20,300
Facilities capital.....	98,529	107,000	107,000	+8,471	---
Total, Smithsonian Institution.....	615,097	644,394	624,094	+8,997	-20,300
National Gallery of Art					
Salaries and expenses.....	95,179	101,794	101,794	+6,615	---
Repair, restoration and renovation of buildings.....	15,962	14,949	14,949	-1,013	---
Total, National Gallery of Art.....	111,141	116,743	116,743	+5,602	---
John F. Kennedy Center for the Performing Arts					
Operations and maintenance.....	17,538	18,909	18,909	+1,371	---
Construction.....	12,809	19,800	19,800	+6,991	---
Total, John F. Kennedy Center for the Performing Arts.....	30,347	38,709	38,709	+8,362	---
Woodrow Wilson International Center for Scholars					
Salaries and expenses.....	9,065	9,438	9,438	+373	---
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration.....	124,406	124,412	124,412	+6	---
National Endowment for the Humanities					
Grants and administration.....	125,728	126,049	126,049	+321	---
Matching grants.....	15,221	14,906	14,906	-315	---
Total, National Endowment for the Humanities....	140,949	140,955	140,955	+6	---
Total, National Foundation on the Arts and the Humanities.....	265,355	265,367	265,367	+12	---
Commission of Fine Arts					
Salaries and expenses.....	1,865	1,951	1,951	+86	---
National Capital Arts and Cultural Affairs					
Grants.....	7,143	6,534	6,534	-609	---
Advisory Council on Historic Preservation					
Salaries and expenses.....	4,789	5,118	5,118	+329	---
National Capital Planning Commission					
Salaries and expenses.....	8,123	8,265	7,623	-500	-642
United States Holocaust Memorial Museum					
Holocaust Memorial Museum.....	42,150	43,786	43,415	+1,265	-371
Presidio Trust					

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2007 (H.R.5386)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request

Presidio trust fund.....	19,706	19,256	19,256	-450	---
White House Commission on the National Moment of Remembrance					
Operations.....	247	200	200	-47	---
	=====	=====	=====	=====	=====
Total, title III, related agencies.....	8,598,535	8,604,072	8,707,069	+108,534	+102,997
Appropriations.....	(8,541,535)	(8,604,072)	(8,707,069)	(+165,534)	(+102,997)
Emergency appropriations.....	(57,000)	---	---	(-57,000)	---
TITLE IV - GENERAL PROVISIONS					
Across-the-board cut (.476%) (rescission) (Sec. 439)..	-589	---	---	+589	---
Across-the-board cut (1.0%) (rescission) (Sec. 601)..	-1,179	---	---	+1,179	---
	=====	=====	=====	=====	=====
Grand total.....	26,085,934	25,532,115	25,944,125	-141,809	+412,010
Appropriations.....	(26,052,541)	(25,562,115)	(25,974,125)	(-78,416)	(+412,010)
Emergency appropriations.....	(146,893)	---	---	(-146,893)	---
Rescissions.....	(-113,500)	(-30,000)	(-30,000)	(+83,500)	---
(Transfer out).....	(-43,493)	(-41,127)	(-43,327)	(+166)	(-2,200)
(By transfer).....	(43,493)	(41,127)	(43,327)	(-166)	(+2,200)
	=====	=====	=====	=====	=====

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at the outset, I want to thank Interior Subcommittee Chairman CHARLES TAYLOR and his staff for the fairness with which the minority has been treated in the development of this bill. We have been consulted throughout the process. As a result, the bill reflects our input in a number of places.

From a process point of view, this bill is a model for how the majority and minority should work together to produce legislation. Unfortunately, as Chairman TAYLOR and I have discussed throughout the year, a fair process cannot produce a good bill when the Interior Subcommittee is given an inadequate allocation. What we were given to work with for 2007 is, once again, inadequate.

The \$25.9 billion allowed by the full Appropriations Committee for Interior and environment programs is essentially a hard freeze at the FY 2006 enacted level. This is roughly \$800 million below the level necessary to maintain current services for the programs funded by the Interior Subcommittee.

The result is a bill in which our parks, refuges and forests are again to be squeezed to cover fixed costs. It means funding for clean water and clean air programs at the EPA are going to be substantially reduced. It means critical new investments requested by the President in areas like homeland security and diesel emissions reductions are dramatically reduced or in some cases not funded at all. Assistance to our States with their environmental and conservation programs is dramatically reduced.

It means the very real problem of global warming will not be adequately addressed. And I assume that when consideration of the bill is completed, the provision approved by the Appropriations Committee acknowledging the existence of global climate change and the human involvement in that change will no longer be part of it. I will talk about my disappointment over that later.

I won't go through all the numbers today, but I think it is important that Members are aware of some of the most troubling recommendations. Despite facility maintenance backlogs of at least \$15 billion in our parks, refuges and national forests, funding for construction projects throughout the bill are cut by \$216 million below last year and more than \$400 million below the level in 2001. There is no funding at all for new schools on Indian reservations. Park Service construction is cut by \$100 million.

In most cases, this bill has only been able to fund 70 percent of the increases mandated by law for Federal pay and for other fixed costs. As our recent GAO report on the parks made clear, this inevitably will mean cutbacks in staff and cutbacks in visitor services for people who visit our parks, refuges and other Federal facilities. Staffing in

our wildlife refuges has been cut by more than 700 FTEs over the past 5 years.

Funding for the Clean Water Revolving Fund is cut by another \$200 million below the 2006 level. Over the last 3 years, the Clean Water Program, which EPA cites as one of its most effective, has been reduced by \$662 million, or nearly 50 percent. This means either that essential infrastructure repairs for this country's aging water infrastructure won't occur, or that local water and sewer rates will increase as communities pick up the Federal share of these costs.

Other State grant programs broadly supported in the House are cut below the current rate. This includes a \$14 million cut in PILT, as well as a significant reduction in State Wildlife grants and the North American Wetlands programs. Stateside Conservation grants are completely eliminated. Over the past 5 years, assistance to States for these environmental or conservation programs have been reduced by more than \$750 million.

Funding for Federal land acquisition and to help States preserve open spaces is cut by \$98 million in this bill and by more than \$400 million since 2001. Funding in this area has been cut by more than 80 percent in the last 4 years. These are not vast stretches of new land for the Federal Government to manage. Unfunded acquisitions include smaller parcels in icon parks such as Valley Forge, Grand Teton, and Acadia. These purchases are the highest priorities of the Bush administration and are ready to go in 2007 if we had funding.

I want to express my strong support for the cuts totaling \$20 million to the Smithsonian contained in this bill, which Chairman TAYLOR and I believe is the best way for the Interior Subcommittee to express our extreme displeasure with recent actions taken by the Smithsonian. This situation involves the recently negotiated commercial venture with Showtime, the details of which have been kept from Congress by the Smithsonian.

□ 1230

On a more positive note, and one our constituents who visits D.C. certainly will appreciate, the bill makes an important down payment towards the much needed improvement of the infrastructure at the National Zoo. This will be a multiyear task to upgrade the zoo's facilities to a level where they should be. In a smart move, tackling the most important tasks first, this bill has placed significant emphasis on replacing and upgrading the fire protection and suppression systems.

As I mentioned earlier, Chairman TAYLOR and I have discussed previously the problems with the Interior subcommittee repeatedly being given inadequate allocations to meet the needs of this country in terms of taking care of our Federal lands and protecting the environment. This is not a pretty picture.

Mr. Chairman, I hope we can improve the bill as it moves forward, but this is not a bill in my opinion which adequately addresses our country's needs.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE of Oklahoma. Mr. Chairman, I rise in support of H.R. 5386, the Department of Interior Appropriations bill for fiscal year 2007.

Mr. Chairman, I commend the distinguished chairman, Mr. TAYLOR, and his committee for including funding in the Indian Health Service facilities budget for joint venture projects. I believe the Service should take advantage of opportunities like the joint venture program to leverage tribal dollars with Federal dollars.

In my State of Oklahoma, I am pleased to note that the Chickasaw Nation has pledged an unprecedented \$135,000 million in tribal funds to design, construct, and equip a new state-of-the-art medical center to meet the needs of its people, its community, and neighboring tribes.

Congress and the Indian Health Service should look favorably upon tribes willing and able to make those investments back into their community and provide the necessary supplemental resources.

With that, Mr. Chairman, I urge the support of H.R. 5386.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, the majority party believes that if we just keep drilling for more gas and oil then our energy crisis will be over. Unfortunately, they are not looking for a solution to our energy crisis and a solution to our rising gas prices. They are just looking short term for false security solutions that ultimately line the pockets of big oil companies.

Mr. Chairman, that is why we are here today discussing offshore oil drilling instead of promoting efficient and renewable energy policies. The people that I am fortunate to represent in Marin and Sonoma Counties north of San Francisco, across the Golden Gate Bridge, do understand. They get it. The coast of my district is one of the most biologically productive regions in the entire world, and it would be threatened, threatened by oil and gas exploration if this bill passes as is.

For this reason, I have introduced a bill to extend the Gulf of the Farallones and Cordell Bank National Marine Sanctuaries along the entire coast of Sonoma to protect it from offshore drilling threats.

The coastal communities in my district rely on tourism and fishing, industries that would be severely hurt if offshore drilling was permitted. If you were to visit this beautiful stretch of coast you would understand why, and you would know that we must protect it.

Mr. Chairman, the people who live in my district strongly oppose offshore drilling. They understand that we need an energy policy that focuses on investments in energy efficiency and renewable energy sources, not on oil rigs and the endless depletion of our natural resources.

Mr. Chairman, I urge my colleagues to join me in supporting the Capps-Davis amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentlemen from Florida (Mr. MARIO DIAZ-BALART).

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, first I want to thank the chairman for the incredible job that he has done on this bill. It is one of the toughest pieces of legislation that comes before us every year, and he has done an incredible job. His staff is always willing to listen to all of us and put up with all of us, I thank them as well, and they know who I am referring to.

But I do need to say, Mr. Chairman, that there was an amendment put on during this process that I think would have, could have a devastating effect on the State of Florida, and that it would potentially allow for the drilling of natural gas, potentially up to just 3 miles off the coast of Florida.

And I do not need to remind everybody how important tourism is for the economy of Florida, \$57 billion to the economy. We depend on that environment being pristine. There is a consensus in Florida, among the people in Florida and just about all of the elected officials of Florida, that this could be devastating for the State of Florida.

There will be an amendment by Mr. PUTNAM and others to try to remedy that. I will support that. I want to thank the chairman and staff again for always listening to us, and we hope that this great bill could be improved by taking out that part that can be very devastating to Florida.

Mr. DICKS. Mr. Chairman, I yield 4 minutes to the gentlemen from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I would like to further elaborate on the drilling issue that has been discussed by the last two speakers, Democrat and Republican.

Mr. Chairman, since 1981, this Congress has included language in this Interior spending bill that says that we draw a line as far as the extent to which we are willing to risk oil spills off the coast of Florida and off the coast of the United States in return for drilling. It has been a matter of balance.

This bill today contains a provision that repeals this language, that has been there since 1981 and, as was mentioned earlier, will allow the possibility of leases for oil or gas as close as 3 miles off the east coast of Florida and 9 miles off the west coast of Florida, my home.

The risk of a spill to the State of Florida is devastating, and to be perfectly honest, it is entirely uncertain to all of us what the risk is. But it is a risk that we do not want to accept in Florida, particularly because the quantities are so modest in return as far as what the Nation needs.

Now the language in the bill, which I would like to discuss, it is important to point out what it does and what it does not do. It gives the White House the authority to issue leases should it choose to do so right off the coast of Florida.

The language says, it is only for natural gas. But if you look at the record, including the President's own leader in the Department of Interior, he says when you go to drill you get what you get. If you make an investment as a company to drill for gas and you get oil, you are going to take oil. So this is about having an oil spill as well as gas.

Secondly, there has been a representation made that this drilling off the coast of Florida and other parts of the United States is going to lower the price at the pump. With respect to Florida, nothing can be further from the truth. The representation is made that if we convert massive amounts of our cars and trucks to natural gas, then this provision will lower the price at the pump.

The price at the pump is the problem with the price of oil. This provision is not going to help deal with the Nation's needs as far as oil. It could produce enough oil to generate a spill off the coast of Florida, but it is not going to lower the price at the pump.

Let me finally just say, reasonable people can disagree on where this line should be drawn. But the way to do that is through hearings around the country, in the State of Florida. We want to be part of the solution in terms of meeting the Nation's energy needs.

Mr. Chairman, I do not question for a minute the motives behind the sponsor of this bill, but there is a right way and a wrong way to have this debate. The right way is to have an open and honest discussion in the committee, around the country. Come to Florida. Our beaches are not just a State treasure, they are a national treasure.

But the wrong way to do it is this last one, to change a balance that has existed since 1981 is to have a very short debate and to simply erase what Congress has had in place for decades through other energy crises and subject the State of Florida and other parts of the country to the possibility of an oil spill that could be enormously devastating, not just to our environment, not just to our economy, but to our way of life.

Mr. Chairman, I hope that the Members of Congress will choose to take a responsible approach to this very important issue. This is not just about Florida. It is about coastlines that are pristine in terms of the entire country as well as the rest of the coastline.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Florida. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I also want to point out that this restriction, which has been in the law since 1981, was also in the President's budget. This was part of the President's budget.

So we are not only overturning this congressional restriction, but we are also doing it in the face of the Bush administration's budget.

Mr. DAVIS of Florida. Mr. Chairman, reclaiming my time. I do not think anybody on the floor of this Congress is going to accuse the President of being bashful about drilling. He does not support this drilling right off the coast of Florida.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I thank Chairman TAYLOR as well as his excellent staff for allowing all of the Members to participate in the drafting of this amendment and a debate on this amendment.

Mr. Chairman, there is one provision that is very harmful to my home State of Florida. Along with my Florida Members, we will be fighting the Peterson language that is attached to this bill which will allow offshore drilling just 3 miles off our Nation's coastlines.

The Peterson language would overturn a 25-year bipartisan moratorium on such drilling. It is bad for the environment, it is bad for national security, and it is not the answer to our pressing energy needs.

Three miles. That is the distance in which drilling structures could appear off of Florida's shoreline. These structures could blight the coast, damage sensitive habitat, undermine our State's economic future. Last year alone, 85 million people visited Florida, many to experience the national beauty of our sandy beaches and marine habitats.

Offshore drilling would introduce toxins and pollutants into the ocean environment. The Florida delegation will unite to promote the Putnam amendment later today to strip the Peterson language from the bill.

Mr. Chairman, I am so proud to represent the national treasures of the Florida Keys. The Florida Keys National Marine Sanctuary is home to thousands of plants and animal species as well as the world's third largest living coral reef system. Drilling would threaten the health of this national marine sanctuary and undermine our efforts to foster and restore sensitive areas.

Mr. Chairman, I encourage my colleagues' help in making sure that we can protect Florida's coastline and our Nation's ecosystem by adopting the Putnam amendment and rejecting the Peterson language.

Mr. Chairman, I thank again Chairman TAYLOR for his time and for this opportunity.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentlemen from Hawaii (Mr. ABERCROMBIE).

(Mr. ABERCROMBIE asked and was given permission to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Chairman, it is clear that the principal issue that is going to be before us as we deal with the overall bill is going to be the lifting of the moratorium, the congressional moratorium with respect to drilling in the Outer Continental Shelf.

As a supporter of a bill that Mr. PETERSON and I hoped to have heard in the Resources Committee that will deal with the issue in a much broader scope, I hope I can bring some level of reality here to what this is all about.

Mr. Chairman, it is the quite true, as has been mentioned by previous speakers who want to see this amendment taken out of the overall bill, that 25 years ago the question of drilling 3 miles off of Florida or California or anywhere was an issue, and the reason that the moratorium was put in was to prevent that from happening. But that was 25 years ago, and now the issue is up for reconsideration, not to drill 3 miles, but whether there is going to be any drilling at all and whether it should take place and under what circumstances, given what has happened over the past 25 years.

□ 1245

The reason the Peterson amendment is in the overall bill is to give us the opportunity to start that discussion. There will be no drilling off of Florida or anyplace else if we pass this bill. It just gives us the opportunity to begin a discussion as to whether we should reconsider that position and where it should happen. That is what is at issue here, lifting the congressional moratorium. There is still a Presidential moratorium against it; there is still a 5-year plan that has to be implemented. We need to consider whether we want to continue with that particular approach.

So what we are asking for is every Member here to be able to vote his or her own views on whether we can have a discussion on this issue. Our problem, Mr. Chairman, is, particularly for those of us who are Democrats, that we are in the grip now of an assault by an environmental Taliban out there that has absolute revealed wisdom as to what is involved with us trying to achieve an independent energy source that we can have as an alternative energy source right now in our country, and not be in the grip of people around the world who wish us ill with regard to energy.

All we are asking for is the opportunity to be able to discuss this issue. If we defeat the Peterson amendment or have it taken out and pass the Capps-Putnam amendment and whatever other amendments are associated with it, we won't have the chance to even begin a discussion about whether natural gas is an alternative inde-

pendent source of energy that we need to have now.

That is what our request is. Let us have this discussion. Keep the Peterson amendment in the bill so we can begin the discussion and have the hearings that Mr. DAVIS and others indicated they would like to have. I agree with them. I think Members know me for a long time, I would never try to embarrass somebody else or put somebody else in a position of saying, look, I am right and you are wrong and I have the only position possible. That is not what it is about. We need to have this discussion. Let us defeat the Capps-Putnam amendment so that we can have this discussion. Mr. Chairman, I hope that everybody understands this is not a Democratic-Republican issue; this is an American issue about independent energy resources for this Nation.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would like to yield 2 minutes to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. First, let me thank the gentleman for yielding. I would like to engage the distinguished chairman in a colloquy regarding funding for an important conservation project in New Jersey.

Mr. Chairman, the State of New Jersey has only 3 percent of its real estate in Federal land ownership. It is also the most densely populated State in the country, as everyone knows. From national parks to wildlife areas, our investment in conservation, preservation, wildlife, and recreation pay tremendous dividends every day. The coastal areas of our Nation are under extreme pressure from development.

The areas surrounding the Edwin B. Forsythe National Wildlife Refuge is no exception. It is vital that we assist our State and local governments in true Federal/State/local partnerships to purchase tracts of land like the ones surrounding the Forsythe refuge boundary, environmentally valuable land that can be bought now but most likely will be lost permanently for public use in the very near future because of development.

I appreciate the challenges that the subcommittee faced in this very difficult budget year. However, I am also hopeful that, Mr. Chairman, you will recognize the importance of this project. We have a responsibility to our children to ensure that green spaces remain, to provide clean air and water, and ample opportunities to enjoy wildlife and the great outdoors.

Mr. TAYLOR of North Carolina. I thank my colleague from New Jersey for bringing this important project to my attention. I will be pleased to consider this funding need, should additional funds become available in conference.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me

to speak on this bill, which should be one of the highlights of this congressional session, as it touches on things that are near and dear to the hearts of the people we represent: clean air, vast open space, environmental protection, investment in the arts, and the public lands that are so meaningful to people.

Mr. Chairman, there are important provisions in this bill that I do support. I appreciate the subcommittee funding for land acquisition in the Columbia River Gorge which will help us honor Federal commitments to communities in Oregon and Washington along a priceless national treasure. But, sadly, overall what should be a positive expression of our values, our hopes, and opportunities instead is a pattern of broken promises to our communities. It does represent a lost opportunity and is a symbol of the inability of those of us in Congress this year and the administration to match priorities with those of our constituents and, most importantly, for the future.

I appreciate the fact that there is dramatic underfunding through the budget allocation in the Interior Appropriations Subcommittee, putting them in the hole from the beginning. I appreciate that the funding for land acquisition has been increased over the President's budget. But there is no reason that the billions of dollars set aside in the trust fund for the land and water conservation fund for that express purpose should not be used for those purposes.

Without the funding, communities will lose opportunities to purchase ecologically rich lands and waters, preserving and protecting recreation and conservation and historic values.

Remember the commitment that was made on this floor in the year 2000. I appreciate the leadership that Mr. DICKS exhibited with the committee working with Mr. YOUNG and Mr. MILLER in the CARA legislation, which passed overwhelmingly in the House, but a deal was brokered to establish funding levels. It is a point of great embarrassment that that commitment that was made to realize the overwhelming sense of what needs to happen in this body with CARA is being violated with this legislation today.

I hope that we will be able to, before we finish deliberations and move it through this session, go back and revisit it, because that commitment was made in good faith. I appreciate the work of the gentleman from Washington together with Mr. YOUNG and Mr. MILLER, Mr. OBEY I see here. We should not be violating that commitment.

Mr. Speaker, I do hope that we can focus more attention and have a healthy discussion on that in the course of these deliberations.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. I thank the gentleman for yielding, and I want to

thank the chairman of the Appropriations Committee for his work and the staff on the hard work they have done on this bill. Based on the limited allocation that they have received, I think they did a pretty good job.

Mr. Chairman, I want to speak specifically to a provision in the bill that I support, and I want to thank Mr. DICKS for putting the provision in the bill, and I want to thank the chairman for allowing it to stay in the bill.

Basically, the provision I would like to speak to is the sense of Congress in this bill that deals with the fact that this Congress should pay attention to, work with, and try to understand the increasing amount of carbon dioxide into the atmosphere, and what does that mean.

Carbon dioxide in the atmosphere, while it represents a tiny fraction of 1 percent of the whole atmosphere, is the chief gas that determines the heat balance; it determines the climate. And there is a scientific consensus that within the last 100 years, especially within the last 50 years, human activity burning fossil fuel has put huge amounts of carbon dioxide in the atmosphere, thus debilitating or changing that heat balance that we have known for a long time.

An example: 10,000 years ago, at the end of the Ice Age, it is calculated through analysis that there was 180 parts per million of carbon dioxide in the atmosphere. It took 10,000 years for that to go up 100 points, 10,000 years. Now, in the last 100, but especially in the last 50 years, it has risen 100 points. So what the natural environment did in 10,000 years, human activity burning fossil fuel has done in less than 100 years.

Now, what does that mean? Does that mean whoever talked about global warming is crying Chicken Little, the sky is falling; don't worry about it, nothing will happen? Or does it mean we need to pursue knowledge?

What it means is, that increase in carbon dioxide in less than 100 years that took the natural process 10,000 years to produce, this U.S. Congress, this government should pay attention to that issue. And the sense of Congress contained in this legislation should remain in this legislation.

I yield to the gentleman from Washington.

Mr. DICKS. I want to commend the gentleman on his statement. This is not an issue that should be partisan in any way. We have had six former EPA administrators in both parties say that this is the issue of our time. A former Member, former Vice President of the United States, Al Gore, has made a national issue out of this. I would like the gentleman to repeat what he said about Greenland. I thought that was very dramatic. I would appreciate it. I think we have more Members now. If you would repeat that, I think that would be important to the debate.

Mr. GILCHREST. Greenland is an interesting place because you can go

back several hundred years. People were tracking the increasing or decreasing glacier ice cap. So there is a very accurate record. We saw some 20 years ago that the ice cap really significantly began to melt and about 20 cubic miles of ice was flowing into the North Atlantic. Today, that has increased to 53 cubic miles of ice cap on Greenland flowing in the form of water, melted water, into the North Atlantic. The rate we are going, we are going to lose the Greenland ice cap. When we do lose the Greenland ice cap, sea levels will rise 23 feet around the globe.

Mr. DICKS. I want that to be repeated: 23 feet. I want my colleagues from Florida who are sitting here on the floor to think about what that would mean in Florida, what that would mean in the coast of California, the coast of Washington.

Mr. GILCHREST. New York City. Boston.

Mr. DICKS. This could be a catastrophic event. Yet we are not even willing to have a sense of the Congress resolution that says that human activity may be part of the problem. I mean, we have got to wake up on this. It is time to wake up.

The former Vice President has been out making speeches all over the country. There was a movie which opened last night on this issue. This could be the issue of all time. If we don't get busy and start realizing we have got a role and a responsibility to play here, it may be too late. For every one of us who either has grandchildren, or may have grandchildren, we have got to think about this. What legacy are we leaving if we don't face up to this reality?

The authorizers simply haven't done it. That is why the chairman, I thought, was very kind to accept this amendment. But now I understand they are going to knock it out on a point of order. This is like putting your head in the sand. I want to thank the gentleman from Maryland, who is one of the more enlightened Members of this body, for all the facts that he has brought to this debate today. I hope somehow working together we can resurrect this at some future point. I would hope even that maybe the chairman of the Commerce Committee might rethink his opposition to this sense of the Congress resolution.

The CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. KUHLMANN of New York) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The Committee resumed its sitting.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, 25 years ago, I stood at this very microphone at this very desk and offered the amendment that initiated the first Outer Continental Shelf moratorium dealing with drilling for oil and gas. Over the years, that 25-year period, working with industry, working with the Federal Government, working with the State government and working with the Congress, we have evolved a program that has worked. During that time we have opened up some of the areas for exploration and for drilling. During that time we have also bought back some of the leases that were environmentally threatening.

This amendment that was added in the appropriations committee, the so-called Peterson amendment, happened without any hearings on the part of the subcommittee, no hearings on the part of the appropriations committee, and now we are trying to do something about that, at least give us time to work with our own House committee that has been working diligently for the last 6 to 8 months on trying to come up with a proper type of moratorium.

We should not allow this language, the so-called Peterson amendment, to stay in this bill today. We should continue the work with the House committee that is already working on it and try to maintain the environmental protection that is so important to so many areas of the waters in and around the United States of America.

As I said, this moratorium has been here for 25 years. It has evolved during that time. It has worked extremely well. I believe that we should be very careful in changes that we might make and we shouldn't make them wholesale without definite thought and consideration.

□ 1300

I yield to the gentleman from Washington.

Mr. DICKS. I want to commend the gentleman from Florida who has been a leader on this issue. We all know the sincerity of Congressman PETERSON on this issue. It is a very important issue. But I want to say, I agree with you. I think to do it in an appropriations bill, and especially when it is part of the President's budget and the plan, to me this isn't the right way to proceed. I realize that there is some history here but it is 25 years since this was done and I think this has worked very effectively. Let's try to work together to maintain this provision.

Mr. YOUNG of Florida. I thank the gentleman for his thoughts.

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I was really going to wait and discuss this on the Peterson amendment or at least on the Putnam-Capps amendment to strike the Peterson language that is in the bill, but listening to all the Members, I thought maybe we ought to at least have a voice that is on the other side.

I can't near entertain as much as my colleague from Hawaii, who I agree with on this, and I am not going to call environmentalists Taliban, but I know we have considered this amendment for over a year and this issue has been debated on this floor many times, including the energy bill last year.

Supply and demand for energy is out of whack and our Nation needs more energy. The Federal Government tried to mandate demand reduction in the last energy crisis and it contributed to a nationwide recession we do not want to repeat. Opening the Outer Continental Shelf could save \$300 billion in natural gas costs over 20 years for consumers and manufacturers. High natural gas costs are sending manufacturing jobs overseas, following the cheap gas. Environmentally conscious nations like Norway, Denmark, Canada, Japan and the United Kingdom are safely and successfully producing natural gas from their coastal waters. Canada uses natural gas only wells in Lake Erie, but right across the line the U.S. is not allowed to do the same.

No nation can produce energy more responsibly than ours. I have been on oil and gas rigs and they have such few discharges into the ocean, a medium sized fishing boat will leak more in a year.

The Peterson language is a major opportunity for us to respond to today's energy crisis with a national solution. I feel justified in supporting the amendment because I come from a coastal district. My constituents feel the same way. Chemical production and oil and gas exploration, processing and refining are Texas' top coastal industries.

My colleagues from California and Florida think only they have beaches. We have coastal tourism and it is our second biggest income producer. That fact alone shows that the argument that oil and gas production and coastal tourism is mutually exclusive is just plain wrong.

I would close by saying if you're acting like Chicken Little and cannot point to one beach in Texas that has been ruined by oil and natural gas, then you should oppose the Putnam, Capps, et al. amendment.

There will be less need for LNG facilities and LNG tankers when we tap our own offshore resources so we can use the safest mode of transportation in the world—pipelines.

To address the needs of American families, we need a 3 pronged strategy. First, we need more production and infrastructure to meet our needs of today and tomorrow.

Second, we need more conservation to keep our economy going as resources become more competitive globally.

Third we need more research to transition our economy to future sources of energy, for a time when petrochemicals are only used for materials, and not as an everyday fuel.

Supporting only long-term solutions and conservation is just not enough. It might be easier if it was, but we need to do more for today's energy problems. We will need continued American energy production for some time.

If we allow domestic production to die out, conservation and research will not save us, and we will have to pay a terrible economic price.

I urge my colleagues to support oil and gas production in the Outer Continental Shelf, and oppose this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Chairman, the Interior and Environmental appropriations bill we have before us today is a responsible, balanced piece of legislation that very much deserves our support. It might not be a perfect bill, but it is the best possible product given the tight budget restraints that we have had trying to control Federal spending. Chairman TAYLOR and Ranking Member DICKS deserve our respect and gratitude for drafting a bill which funds a variety of Federal responsibilities, including our national parks, our Federal forests, abandoned mine reclamation, fish and wildlife resources, EPA, Indian programs, museums and arts agencies.

This is a bipartisan bill, and it is the product of fair and impartial hearings.

I think it is fitting that this first appropriations bill of the season shows that it is funded at \$211 million below the current fiscal year. We are on a track here to some fiscal sanity.

Tough choices had to be made. The chairman made the right choices.

Also important, it includes a very important amendment offered in full committee by Mr. PETERSON which modifies the current congressional moratorium to allow for safe and efficient production of natural gas along our Outer Continental Shelf. This is a rational step to take in a time when we need to be increasing domestic production to meet our Nation's energy needs. Any effort to take this out would be the wrong thing to do right now. This is in this bill because that is where the rule is.

I believe that this bill provides the environmental, energy, resource, cultural and recreational needs of our Nation while still playing a significant role in controlling Federal spending.

Again, I commend the chairman and Mr. DICKS for their hard work in bringing this bill to the floor, and I urge my colleagues to support the bill and to support the Peterson amendment.

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR), my friend and colleague.

(Mr. FARR asked and was given permission to revise and extend his remarks.)

Mr. FARR. Mr. Chairman, let us be very clear what is going on here. This is an election year. Everybody in this House is up for election.

The Governor of California and the President of the United States, who is the former Governor of Texas, have not supported the idea that we ought to open up oil and gas drilling under the guise of just doing gas drilling off the coast. Why? Because they represent States and a Nation that knows that one of the biggest industries in this Nation is tourism, and tourism is jobs. I can assure you, the people do not go visit the coasts of Florida, the coasts of California to watch oil wells. That is not what draws tourism to the coast. It is not what makes those coastlines the biggest economic engines in the United States.

This is not about trying to respond to the high gas prices. This is a giveaway. The oil companies tell you they are not interested in offshore drilling because there is a lot of expense that goes into it and it takes years and years. So just be mindful, what is this? This is a play to the oil companies.

Let me just tell you what the Governor of California says, the biggest gas guzzling State in the Nation, "The current movement to lift the ban is nothing more than a weak attempt to cater to oil interests in the face of high gasoline prices. I encourage you to move your focus instead to reducing our consumption of fossil fuels and supporting the development of alternative fuels such as ethanol in order to diversify our energy portfolio."

Let us be creative about how we diversify the energy portfolio. Let us not use the dinosaur effect that we are just going to go after oil and gas wherever it was. These same people will tell you if there is oil right under this Capitol, drill for it. My God, can we not in the leadership of the United States Congress respect the fact that it is just not about oil and gas, it is about a lot of other values in this country?

The provision in the bill is a bad one, and I strongly support the amendment to take it out.

STATE CAPITOL,

Sacramento, CA, May 10, 2006.

CALIFORNIA CONGRESSIONAL DELEGATION,
House of Representatives,
Washington, DC.

DEAR CALIFORNIA CONGRESSIONAL DELEGATION: I strongly oppose any efforts to end or weaken the federal moratorium on oil and gas leasing off the coast of California and I will fight any effort to expand offshore drilling as long as I am Governor. This current movement to lift the ban is nothing more than a weak attempt to cater to oil interests in the face of high gasoline prices. I encourage you to move your focus instead to reducing our consumption of fossil fuels and supporting development of alternative fuels such as ethanol in order to diversify our energy portfolio.

The moratorium has been in place for twenty-five years and enjoys widespread support from the people of California, including bipartisan support from elected leaders. It has been widely recognized by an overwhelming majority of Californians that there are better ways to address our energy

needs without populating our waters with oil platforms and adding additional scars to our beautiful coastline.

The actions taken today by the House Appropriations Committee is extremely disappointing. As a result, the federal FY07 Interior Appropriations bill that you will be asked to vote on as early as next week ends the twenty-five year bipartisan Congressional moratorium and the protection it guarantees California's coast. Moreover, the bill's provisions would allow drilling to begin just three miles from our coast. Rather than watching the sun set on the western horizon each day, millions of Californians and visitors will now see grotesque oil platforms in plain sight. I urge the Delegation to oppose these provisions and work to defeat them during the House debate. California's beautiful coastline is an integral part of our culture, our heritage and our economy. Putting it at risk would be an absolute travesty.

The price of gasoline has risen dramatically in California, but reducing our use of fossil fuels and diversifying our energy supply would have a much greater and more direct impact on prices than drilling off shore. California has gone to great lengths to do just this. We have dedicated \$6.5 million to the Hydrogen Highway initiative to build hydrogen fueling stations and expand research for cleaner, reliable fuels; we have implemented new car standards that will reduce emissions by thirty percent in the next ten years, cutting ozone-forming pollutants by five tons per day by 2020; we have invested \$165 million to get gross polluters off of California's streets; and finally, we have created incentives to reduce gasoline consumption by making more people eligible to receive \$1,000 when they turn in gross-polluting, inefficient vehicles. California leads the nation on these initiatives.

Ending or weakening the current moratorium on offshore oil and gas leasing will not result in reduced prices for consumers nor is it the foundation for a sustainable energy policy. I urge your support for renewing the OCS moratorium and your continued support for California's economy and coastal environment.

Sincerely,

ARNOLD SHWARZENEGGER,
Governor.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Chairman, later today, we will debate a natural gas exploration provision in this bill over which I have grave concerns. Thus, Mr. Chairman, I rise in support of the bipartisan Putnam-Capps amendment.

We are all acutely aware of the financial strain that higher gas prices place on average Americans. We imperil our national and economic security if we do not identify alternative energy sources to meet our Nation's ever increasing demand for energy.

The answer, however, is not in this provision. It will end the 25-year bipartisan Outer Continental Shelf, OCS, moratorium that Chairman YOUNG spoke earlier about and, thus, allow construction of these gas wells as close as 3 miles from every coastal State.

From an economic perspective, this provision will jeopardize coastal economies that rely on healthy tourism industries for continued prosperity. Set-

ting up natural gas wells visibly 3 miles from the shore would have a crippling effect on these coastal communities and the residents whose livelihoods they support.

Additionally, opening up our most sensitive coastlines to offshore natural gas drilling within these 3 miles could adversely impact the coastal waters, the fisheries and the marine ecosystems.

If the Putnam-Capps amendment is not adopted, States would be shut out from offshore oil drilling decisions. Coastal Governors and the State legislatures would be denied a meaningful role in decisions about where and when drilling might occur. They would be silent, yet subject to a Federal mandate.

Finally, the Secretary of Defense has indicated that areas east of the military mission line are vital to military operations and training. Specifically, Secretary Rumsfeld has indicated that language akin to what is currently in this bill would be incompatible with military operations and that it could be crucial to our Nation's security.

For these reasons, I urge my colleagues to support the bipartisan Putnam-Capps amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentleman.

It is sad that as we stand on the cusp of the most profound change in our environment the civilized world has ever seen, the actions of a few in Congress can stop desperately overdue action.

The science is clear. This is not a problem of the future. It is happening now. The United Nations has declared that at least 5 million cases of illness and more than 150,000 deaths every year are attributed to global warming. The 2003 European heat wave killed over 20,000 people. The 10 hottest years on record have occurred in the last 15 years. Two consecutive record-breaking hurricane seasons. The problem will not fix itself.

And yet we will not allow a provision in this bill that has no timeline, no specific targets and no commitment. The committee inserted text that merely expressed the sense that we should take action on global warming, but the Rules Committee chose to leave it open to challenge by anyone, and I understand that challenge will be coming on a technicality. So we cannot even say we should be doing something about this.

Just how bad does it have to get?

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I rise in strong support of the Putnam amendment that will be given later here this evening.

We have heard a lot today about drilling off the coast of Florida. Let me make a parallel here and something every Member should think about. Would we allow oil rigs on the edge of

the Grand Canyon, on the rim? How about at the foot of Old Faithful?

The Florida beaches are really tremendously important. When you start to think about how far that this bill, as it is presently written, would bring these oil wells and gas wells into proximity to our beaches, we are talking about 3 miles. The line of sight is over 7 miles.

This bill just goes way too far in really imposing mass destruction on our beaches and on our tourism. Florida beaches are really the most important thing that we have for our economy. It is the lifeblood of our economy, and the very thought that with the tremendous opposition that Florida has to this particular amendment that this body would do anything except strike it.

I urge all my colleagues, Democrats and Republicans, this is a bad provision. ADAM PUTNAM is going to be putting an amendment in this evening that would strip it out of this particular bill, and I think as Mr. YOUNG said earlier, that if we are going to be doing this, you need discussion and you need to talk about it.

It was said that we have talked about it. I cannot remember one time that we have ever talked about bringing them within 3 miles of the coastal State of Florida.

I urge all my colleagues to vote with the Florida delegation. Kill this amendment to the appropriations bill that was put in inside the committee and support the Putnam amendment that would strip it out.

Mr. HINCHEY. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, we have had a lot of discussion about the amendment that has been put forward by the gentleman from Pennsylvania (Mr. PETERSON). There are some technical problems with this amendment that I think have not been adequately addressed in the context of this debate thus far.

□ 1315

One of those technical amendments has to do with the fact that the experts on this issue, both within Interior and Energy, believe that it may not be possible to give leases for the extraction of natural gas alone. All the leases that we have currently are for natural gas and oil. And the reason for that is, if you drill for natural gas, the likelihood is that you are going to hit oil. And if you hit oil, and you are not capable or prepared to deal with that, then you are going to encounter some very serious problems.

So the amendment that Mr. PETERSON is going to bring before the House sometime later this afternoon or this evening has within it this very serious technical problem, and for that reason alone it ought to be rejected.

The gentleman from Florida, the former chairman of the Appropriations Committee, was up here just a few minutes ago talking about the serious damage that this amendment, if it is

passed and put into action, might have on the tourist industry in Florida and on the general situation of the coastal region in Florida and California and in parts of the gulf.

So when you are thinking about this particular amendment, keep in mind that if you think you are going to drill just for natural gas, the likelihood is if you hit natural gas you are going to hit oil too. And if you are not prepared for it, you are going to have some very serious problems. We ought to address this issue, but address it in a much more comprehensive way.

As has been pointed out, again by the gentleman from Florida on the other side of the aisle just a few minutes ago, we have not had adequate hearings on this. This is an issue that has not gone through the appropriate authorizing committee. We are attempting to inappropriately put it into the context of this appropriations bill, and for that reason also that amendment ought to be rejected.

Furthermore, we need to be conserving our natural resources, particularly our energy resources. Anything that you find anyplace in the world on energy resources, natural gas and oil, these materials are fungible. They go out anywhere. If we are smart about our natural resources, we ought to be doing everything we can to conserve them, keep them where they are because the value of those natural resources is going to dramatically increase over time. If we exploit them now, extract them now, exhaust them now, we are going to be very sorry for it later on.

In addition to that, we have another circumstance with regard to this amendment and the ideas behind it, and that has to do with the fact that we are not now receiving adequate royalties from the natural resources, particularly petroleum and natural gas, that are being extracted by oil companies from public lands, whether those public lands are dry or under water. And there will be an amendment coming up later this evening, in all likelihood towards the end of this bill, which will deal with the need to get those royalties.

So for those reasons I think that this amendment ought to be rejected.

Mr. Chairman, may I inquire as to how much time we have.

The CHAIRMAN. The gentleman's time has expired.

Mr. HINCHEY. The entire time for the bill?

The CHAIRMAN. The entire time for general debate has expired. The gentleman from North Carolina remains the only person with time, and he has 9½ minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the appropriations chairman, the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my chairman yielding me this time, and I want to express my deep appreciation to him

for his work, as well as for Norm Dicks of Washington. This is a fabulous bill, in my view. It is the first step in the passage of 11 of our bills between now and the 4th of July break, all of them off the House floor.

This bill reflects exactly the approach and style we are attempting to take within our committee this year and in the years ahead. The total spending on this bill provides \$19.5 billion in total discretionary spending. That is a \$145 million decrease from the previous year.

The chairman and the ranking member are attempting to help us balance the importance of preserving our resources, our environment, and, indeed, our country as we move towards energy independence. And one of the pieces of preserving our independence is to make certain that our appropriations process is spending less money, not more money, in the years ahead.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. I thank the chairman for yielding me time. Opponents of the Putnam-Capps amendment say that the underlying language does nothing to hurt the readiness of our military here in the United States, and I can say that that is 100 percent wrong.

This map is the eastern Gulf of Mexico off the State of Florida. This is a joint test range that extends from the panhandle of Florida all the way to Key West. Let me tell you, the Air Force uses this for live fire. Live fire. And the Navy uses the gulf ranges to predeploy certification and to fire Tomahawk cruise missiles from submarines.

Now, I want to read you a list, if I can, which is just a sampling of some of the future and current missions conducted in the eastern Gulf of Mexico: the F-35 Joint Strike Fighter initial training and live fire; the F-22 pilot upgrade training, including the AMRAAM live fire; Tomahawk cruise missiles launched from submerged vessels; testing of Small Diameter Bomb program against man-made targets in the Gulf of Mexico; F-16 weapons system testing and evaluation; air dominance munitions; unmanned combat air vehicles; directed energy weapons and classified programs.

Now, the former commander of the Air Armament Center, Major General Robert W. Chedister, said last August: "Clearly, structures associated with oil and gas production are totally incompatible with, and would have a significant impact on, the mission activity in the eastern Gulf of Mexico."

The Secretary of Defense, Donald Rumsfeld recently wrote: "Areas east of 86/41, which is the military mission line, commonly known as the mission line, are critical to DOD." He went on to say: "In these areas east of the military mission line, drilling structures and associated development would be incompatible with military activities,

such as missile flights, low-flying drone aircraft, and weapons testing and training."

Now, let me show you where that military mission line is. The underlying language in this bill would open the door to drilling in the entire Joint Gulf Range and is completely incompatible with the military mission of our Air Force and our Navy. We cannot allow this area to be impacted.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Chairman, I wish to engage in a little colloquy with you.

As you know, the administration proposed \$49.5 million for the National Clean Diesel Initiative, which was authorized at \$200 million in the Energy Policy Act. We were only able to fund that at \$26 million. I am concerned the demand will far exceed the amount the committee was able to provide.

For example, Pennsylvania's 13 school districts have filed applications with EPA for funding to retrofit diesel engines, and we are going to have a lot more of this.

I would like to yield to my friend from New York (Mr. KUHNL).

Mr. KUHNL of New York. Mr. Chairman, I want to compliment my colleague from Pennsylvania (Mr. SHERWOOD) on his efforts on this particular important matter. And while he addresses the issues dealing particularly with his district in Pennsylvania, which I think is laudable, we should know that actually diesel engines play a very important role in our Nation's economy. They are, however, responsible for a substantial portion of particulate matter emissions and there are 11 million vehicles that need to be retrofitted, nearly 500,000 of which are school buses, which my colleague has addressed.

So I compliment again my colleague, Mr. SHERWOOD, for approaching this problem, and certainly I compliment the chairman for what he has been able to do. Hopefully, he will be able to supplement what has been appropriated in this bill by substantial increases in the appropriation.

Mr. TAYLOR of North Carolina. Mr. SHERWOOD, I agree that the demand for funding for retrofitting diesel vehicles has exceeded the funding made available to date. However, it is important to note that in fiscal year 2006, funding for programs under the National Clean Diesel Initiative was less than \$12 million, and the \$26 million recommended by the committee for fiscal 2007 represents an increase in funding of nearly 120 percent.

I have been personally involved in programs to promote the use of diesel retrofits back in my district, and I believe the generous amount provided by the committee will make significant strides in addressing the clean diesel program's objectives. Having said that,

I would be happy to work with my colleagues to see if we might be able to increase the funding for this program should additional funds be made available when we go to conference with the Senate.

Mr. Chairman, I yield 3½ minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. I thank the chairman. We are beginning the most important debate this country has had on energy in a long time, and I am glad to see we have finally moved forward.

My good friend, BILL YOUNG, 25 years ago started the moratorium. Back then, the cost of natural gas was a dollar something a thousand. Oil was less than \$10. It didn't matter that we locked up our resources. Last year, the average price of natural gas was \$9.50. At times it was 14 and 15, and the rest of the world was a fraction of that. We are putting our industries and businesses out of business in this country.

We have witnessed today serious fear from coastline people, and I respect that. This is not "us against you." This is about America. Fear is only in our hearts when we don't have the facts, and I feel convinced in my heart that when we have the facts, and we debate this issue, we will do the right thing and we will figure out how to produce natural gas off our shorelines at the right distance so that we have wonderful tourism, we have affordable energy, our people can stay in their homes in the north and keep warm, and our businesses can stay in this country and prosper and build our economy.

Now, this bill, if it passes, only removes the legislative moratorium. The Presidential moratorium still remains. I could not remove that because that is legislating on an appropriations bill. We still have the 5-year plan, which is a 2- or 3-year process that we all react to before any drilling is done anywhere. We have to change language that we can have gas-only leases. You all know that I have a bill that gives 20 miles of shoreline protection and gives the States control over that and only allows for natural gas production.

Folks, States like Florida, that use 235 times more gas than they produce, could be self-sufficient and could bring in a lot of money to the State of Florida. California likewise, huge energy users, could bring in huge amounts of money and could produce natural gas only.

And those who say we can't produce natural gas only just don't understand how you drill. I grew up in this. I have never been in the oil business, but I grew up around it. You drill through the layers of the surface. You drill through oil sands, coal sands, and gas sands; and you put a steel casing down, you cement the top and the bottom, and you go back and open that casing up where you want to produce. It doesn't all just come gushing out.

We have been drilling for oil for hundreds of years. It is a sound science

today. I am not promoting oil, but the last major oil spill was Santa Barbara in 1969. How long do they have to do it right? There has never been a gas well that has polluted a beach and made it a place we wouldn't want to be.

I have spent dozens of vacations on Florida beaches. I just spent a week at Duck. Do you think I don't appreciate the value of that, folks? But I also want my kids and my grandchildren to have a job and to have economies, and polymers, plastics, petrochemicals, bricks, and all of the industries, steel and aluminum, which use huge amounts of natural gas.

The President of U.S. Steel told me his cost went up \$600 million; and if we don't get gas below \$8 consistently, he cannot compete in America. Every glass company will be in South America where gas is \$1.87, and every brick company. We won't even make bricks in America. We will bring them in from South America. The petrochemical business has 120 plants being built, with one in America. The rest will move jobs out of this country when they are completed, folks.

We don't have a lot of time. We need to provide affordable energy.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. BEAUPREZ).

Mr. BEAUPREZ. Mr. Chairman, I want to rise to express my strong opposition to language in the bill that earmarks \$13 million in funding to continue operations at an existing U.S. Geological Survey mapping facility in Rolla, Missouri. This facility is planned to be closed based on a careful and thorough analysis of the 21st-century role of the USGS mapping. The amendment also prohibits the planned consolidation of the mapping functions at the USGS, which is estimated to save the American taxpayers millions of dollars.

□ 1330

Two formal investigations, including one by the Department of the Interior's Inspector General, have assessed the process used to select the consolidated site and have supported the decision.

I would like to yield back to the chairman and engage him in a colloquy and suggest to him that we have an obligation here in Congress to be prudent stewards of the taxes that our constituents back home pay and give them value for the dollars with improved service.

I believe this earmark fails both standards of accountability, and I would ask and hope that the chairman can correct that error in conference.

Mr. TAYLOR of North Carolina. I say to my friend and colleague that I share his concern and will work with him in the conference to do what we can.

Mr. BEAUPREZ. I thank the chairman.

Miss McMORRIS. Mr. Chairman, the northern portion of my district in Washington State is contiguous with the United States border with Canada. One of the Indian tribes in my

district, the Confederated Tribes of the Colville Reservation, has for the last several months been experiencing an epidemic of crossborder drug smuggling activity from Canada onto its reservation. I mention this, Mr. Chairman, because since 1990 Congress has funded a very important program that as of late has had a direct impact in fighting this smuggling activity, and I am hopeful that the Congress can again restore the funds in this bill.

This program, identified as Lake Roosevelt Management/Enforcement funds in the Bureau of Indian Affairs budget, enables both the Colville Tribe and the Spokane Tribe to employ law enforcement officers to patrol Lake Roosevelt and its shoreline to enforce Federal laws and tribal health and safety laws. Lake Roosevelt is the 151-mile reservoir of the Grand Coulee Dam, the largest hydroelectric power plant in the United States and the third largest in the world. A portion of the dam lies within the boundaries of the Colville Reservation.

Currently, the Colville Tribe's law enforcement officials are under increasing strain due to crossborder smuggling activity that is on the rise. In recent months, numerous sightings of unmarked fixed-winged aircraft capable of landing on water have been reported on the lakes and waterways within and near the Colville Reservation.

Most significantly, on March 15 of this year, Colville tribal law enforcement officers funded with the Lake Roosevelt Management/Enforcement funds seized an unmarked float plane from Canada that was attempting to smuggle illegal drugs into the United States through the Colville Reservation. After being alerted to the plane and after a long chase, the tribe's officers captured and detained the pilot and handed over to Federal law enforcement authorities an estimated \$2 million in illegal drugs that had been dropped by the plane on the bank of Columbia River near the Grand Coulee Dam. Last month the U.S. Border Patrol honored the Colville Tribal officers that participated in this seizure.

In addition to this incident, other incidents involving float planes from Canada smuggling drugs through the lakes and waterways on the Colville Reservation have also resulted in arrests in recent months and have also involved the Colville Tribe's law enforcement personnel. I understand from the Colville Tribe that its law enforcement personnel register two to three reports of float plane sightings per week and that the tribe's police department has reason to believe that up to 25 aircraft may be involved in cross-border drug smuggling activities using the lakes and waters on the Colville Reservation.

The apparent ease with which these small planes fly back and forth across the northern border is truly cause for alarm. In commenting on these recent smuggling incidents, the U.S. Attorney for the Eastern District of Washington was recently quoted by a northwest newspaper as saying that "a person that will smuggle drugs, guns, meth, Ecstasy and cash will also be the kind of person who would smuggle a special-interest alien or a terrorist." As disturbing as this prospect is, I believe that it is equally important for all of our law enforcement agencies on the northern border to have the resources available to combat these incursions, including the Colville Tribe.

Congress has in past years funded this program at the \$630,000 level and our colleagues

should know that both the Colville Tribe and the Spokane Tribe contribute significant funds of their own and secure matching funds from various sources to keep these patrols running. Given the critical importance of this program to both border security and homeland security, and given the relatively modest request, I very much hope the chairman can support this request in conference, with an eye toward inclusion in the conference report.

Mr. UDALL of Colorado. Mr. Chairman, I regret that I cannot vote for this appropriations bill.

Colorado has a special stake in the bill because it provides funds for Federal agencies that are particularly important for our State, including most of the Interior Department, the Forest Service, and the Environmental Protection Agency.

And of course the bill is important for the entire country, because it provides much of the funding necessary for the Federal Government to meet its responsibilities regarding protection of the environment and the conservation of our natural, historic, and cultural resources.

If the bill dealt adequately with those matters, I would gladly support it. Unfortunately, however, it falls so far short of the mark that I do not think it should be approved.

Responsibility for the bill's shortcomings lies with the Republican leadership and the misguided budget resolution that they forced through the House in the very early hours of this morning. Their budget plan provides \$9.4 billion less for domestic programs than the amount necessary just to maintain current service levels.

That is why the funds available for this bill are \$145 million below this year's level and about \$800 million below what would be required to maintain current services. That is why the bill includes only about 70 percent of increases mandated by law for Federal pay and for other fixed costs for the Federal agencies covered by the bill. And that is why despite maintenance backlogs of some \$12 billion in our parks, refuges and forests, funding for construction projects throughout the bill are cut by \$216 million below last year and there is no funding at all for new schools on Indian reservations.

And that is why there are similar cuts in the Clean Water Revolving Fund, wildlife grants, and the North American Wetlands program while funding for Federal land acquisitions—already reduced by more than 80 percent over the last 4 years—is cut by \$98 million.

These cuts are particularly bad for Colorado because our growing population puts increasing pressure on our open spaces and wildlife as well as the water-related infrastructure of our rural communities.

If the bill now before the House were to be enacted as it stands, the result would be dirtier water and air, reduced care for our natural landscapes and historic structures, and declining levels of services for the visitors to the national parks, wildlife refuges, and national forests in Colorado and across the country. I cannot support such results and cannot support the bill.

Of course, today's vote is not the end of the story for this legislation. Once the Senate has acted on the bill, differences between its version and the House-passed bill will have to be resolved and a final version considered. I hope that the result of that process will be a

version that deserves to be supported and enacted into law.

Mr. FORTENBERRY. Mr. Chairman, I am pleased to express my support for H.R. 5386, the fiscal year 2007 Interior-Environment appropriations bill and I urge my colleagues to vote for it.

I would like to begin by commending the distinguished gentleman from North Carolina (Mr. TAYLOR), the chairman of the Interior Appropriations Subcommittee, and the distinguished gentleman from Washington (Mr. DICKS), the ranking member of the subcommittee, for their outstanding work in bringing this bill to the Floor.

I recognize that extremely tight budgetary constraints this year made the job of the subcommittee much more difficult. Therefore, I believe the subcommittee should be commended for its diligence in creating this fiscally responsible measure.

In light of these fiscal constraints, I am very pleased that the bill includes \$1 million for a sanitary sewer crossing between Nebraska and Iowa. This new crossing is a very immediate need for the community of South Sioux City, NE. The existing crossing is more than 40 years old and 3 years ago, the pipe carrying sewage between South Sioux City to the treatment plant in Sioux City, IA, broke. For several weeks, about 1.6 million gallons of raw sewage each day was dumped into the Missouri River. The pipe was eventually replaced, but the incident highlighted the need for a second crossing. The new crossing that is proposed, to be located south of the city, would provide a more direct link to the regional treatment plant in Sioux City.

Since the original sewer pipe was installed in the early 1960s, South Sioux City's population has increased more than 60 percent. Also, the community's economic base continues to grow, which places an additional burden on the sewer system. In an effort to meet the growing needs for an improved sewer system, the city's residents have seen significant rate increases over the past several years. However, it is now clear that Federal assistance is necessary.

Again Mr. Chairman, I appreciate the subcommittee's inclusion of \$1 million for the South Sioux City sanitary sewer crossing project. I support passage of H.R. 5386 and urge my colleagues to vote for it.

Mr. HOLT. Mr. Chairman, I rise today in opposition to the Department of Interior and related agencies appropriations bill for fiscal year 2007. Today we are considering a bill that funds the majority of our Nation's environmental programs. However, the funding levels that this bill allows are inadequate to meet the needs of our country. By passing this bill today we are turning our back on programs that conserve our public lands, protect our wildlife, and protect our environment.

I am disappointed with a variety of programs that are losing funding in this appropriations bill but I want to talk specifically about the cuts to the Land and Water Conservation Fund LWCF. As many of my colleagues know, for the last 40 years, the Land and Water Conservation Fund program has helped State and local government preserve open space and develop recreational facilities. By providing Federal matching grants, LWCF has helped create a national legacy of public parks and outdoor leisure areas.

This bill would provide for LWCF a mere \$60.3 million in funding, the lowest in more

than 30 years. This funding level is more than \$80 million below last year's funding level. LWCF's State and local matching grant program that helps States acquire open space and recreational land has been completely eliminated in this bill.

My good friend and colleague, Representative JIM MCGOVERN, the gentleman from Massachusetts, and I have worked together to try to restore "State side" funding for LWCF. I was pleased that over 150 of my colleagues joined a letter that Representative MCGOVERN, Representative PETER KING and I sent to the Interior Appropriations Subcommittee to restore state side LWCF funding. Mr. MCGOVERN, Mr. KING and I all represent densely populated States that are combating overdevelopment, and programs like the matching grant program help our local communities establish the recreational and open space areas that are so vitally important to our children's health, appreciation for the environment and community development. In the past 40 years, roughly 40,000 grants to States and local governments have been funded through the LWCF State side program.

According to the National Park Service "Today, there is clear evidence that the grant program has been successful in encouraging States to take greater responsibility for the protection and development of recreation resources at every level." Now is not the time to cut funding for conservation programs that help our local communities.

Protecting open space is not an abstract environmental matter—it is a quality of life issue. I urge my colleagues to vote against this rule and the underlying bill and demand real attention to our Nation's environmental needs.

Mr. KING of Iowa. Mr. Chairman, I wish to take time to highlight a watershed-related project at Storm Lake, IA, in my district. As background, Storm Lake's depth and water quality have been deteriorating since the last dredging in the early 1960s. Storm Lake is among 156 water bodies to make the U.S. Environmental Protection Agencies list of "impaired" streams and lakes because of siltation. Removing silt and radically improving water quality will prevent massive fish kills. Storm Lake is well known for being a conducive environment to Walleye breeding. The Department of Natural Resources has come to depend on this Walleye population to assist in feeding other lakes and tributaries within the State of Iowa.

The Storm Lake community has implemented practices by both business and residents in an effort to ensure that the current dredging of Storm Lake will last for several generations to come. Finally, local agricultural land owners on or near the Storm Lake watershed have incorporated farming practices that help curb or reduce the amount of runoff into the Storm Lake Watershed. I believe this comprehensive approach to water resource management by the Storm Lake community is to be commended.

Funds will be used to dredge 700,000 cubic yards of spoil from the lake. Through decades of ground erosion and silt freely entering Storm Lake the lake levels have diminished. In order to remove the silt and prevent the continued inflow of silt, a Lake Restoration Program was needed to dredge a large portion of the lake and to develop watershed protection practices. Therefore the Iowa Department of Natural Resources believes this dredging and

watershed work plays a vital role in the water quality and restoration of the lake. Buena Vista County, the city of Storm Lake, and the city of Lakeside view the dredging project as an essential component in the overall economic development of the area. Dredging will create positive environmental effects while increasing the natural habitat for native fish and marine organisms.

Mr. Chairman, I look forward to working with Chairman TAYLOR for the inclusion of funding in the final conference report.

Mr. ETHERIDGE. Mr. Chairman, I rise today in opposition to H.R. 5386.

Rural America is hurting economically. Our families are faced with the highest fuel prices in history. And this bill cuts \$142 million from last year's funding level for essential services like environmental protection.

These cuts come from state grants that help fund rural water, sewer, and infrastructure projects. They come from state wildlife preservation grants and wetland preservation funds. This bill even cuts funding to EPA programs like the clean air diesel program; all while rolling back the mandatory pollution control standards for power plants for the first time ever.

This bill would also allow drilling off of our pristine coastlines, and it would provide for the exploration and development of drilling in the Alaska National Wildlife Refuge (ANWR), an area that is currently off limits for drilling, at a cost of \$113 million.

The priorities of this Congress are wrong for the American people. I urge my colleagues to vote against this legislation.

Mr. STARK. Mr. Chairman, I rise today in opposition to the Interior Appropriations bill.

Given their commitment to "conservative values," I would think that Republicans would be more committed to actual conservation. Instead, this bill shortchanges our environment, attacks our natural heritage, and recklessly endangers public health.

This bill slashes funding for environmental programs by \$145 million and provides about \$800 million less than is necessary to maintain current environmental protection services. Specifically, this legislation cuts Land and Water Conservation programs, which provide funding for the acquisition of land for national parks, wildlife refuges, forests and monuments, to their lowest funding levels in 30 years. At the same time, this bill cuts the Forest Legacy Program by more than \$43 million, the Fish and Wildlife Service by \$55 million and the National Park Service by \$100 million.

We have an obligation to ensure that future generations can enjoy the beauty of our national parks and public lands. With this bill, however, the "Moral Majority" has abandoned their social and ethical responsibility to protect our environment and invest in America's future.

This indefensible legislation not only harms our environment but places Americans' health at risk by cutting the Clean Water State Revolving Fund to its lowest funding level in a decade. According to the EPA, close to \$20 billion—nearly 30 times the appropriated amount—is necessary to maintain our current water quality. I am not willing to endanger the health of millions of Americans by exposing them to dirtier water.

I don't believe something as important as our natural resources should be left in the hands of Republican members of the flat-earth

society who don't even believe in global warming. There is scientific consensus that the earth is warming because of manmade greenhouse gases and the threat posed by global warming is real and immediate. Recent polls show that 85 percent of Americans believe that global warming is probably happening and 76 percent, including 63 percent of conservatives, think the Federal government is not doing enough to address the problem. Yet Republicans are so reluctant to acknowledge global warming, they won't even allow the House to consider the issue.

If Republicans want to preach conservative values, perhaps they should start with actually conserving our most precious resources. I simply cannot vote for this mockery of environmental legislation and I encourage my colleagues to join me in opposing this bill.

Mr. HAYWORTH. Mr. Chairman, the state of Arizona has a rich history, much of it left to us by Native Americans from centuries past. One way in which the great tribal traditions and cultural stories of our native predecessors are passed down is in the form of petroglyphs. These scenes, pictures and designs carved into rock formations tell the stories of the first Americans, and it is important that we give special attention to the preservation of these artifacts.

One of Arizona's largest collections of petroglyphs is housed at the Deer Valley Rock Art Center in Phoenix. Conceptualized with the intent to both preserve and educate, the center is operated and maintained by Arizona State University and the 47 acre facility is home to over 1,500 petroglyphs.

I would like to encourage the Bureau of Land Management to engage in conversations with the Deer Valley Rock Art Center in order to see where the agency might be able to provide assistance to the center. It is my hope that strengthening the relationship between the agency and the center will make it possible for Arizona's historical treasures to continue to be preserved, allowing the center to remain a valuable educational tool for generations to come.

Mr. CARTER. Mr. Chairman, in 1991, the Texas legislature authorized the establishment of the Texas Institute of Applied Environmental Research (TIAER) at Tarleton State University. Congress quickly recognized the merits of the effort and since 1992 has provided an average of \$500,000 a year and the U.S. Department of Agriculture has added \$4.5 million dollars. These dollars have been effectively leveraged, and when added to state and private funds, total funding has exceeded \$45 million. This project is an excellent example of how critical federal support can effectively trigger matching funds to help meet the needs of this country.

The mandate for the organization has been to:

Conduct applied research on environmental issues that have public policy implications

Provide a setting for environmental studies that focuses on the interface between government and the private sector

Provide national leadership on emerging environmental policy

Establish programs and partnerships with public and private institutions of higher education, governmental agencies, or private entities to develop and implement new policies, technology, strategies, relationships and sources of funding.

The organization's mission statement is: "TIAER conducts scientific research, economic inquiry, and institutional, statutory and regulatory analyses to address pressing environmental issues facing the state and nation and assists public entities in developing and implementing policies that promote environmental quality."

STRONG ECONOMY, HEALTHY EARTH

TIAER continues to fulfill its mission by assembling and supporting a multidisciplinary research staff. TIAER houses economists, engineers, attorneys, agricultural scientists, mathematical modelers, communication specialists, water quality scientists, graphic artists, computer scientists, and water quality monitoring specialists to address the next generation of Clean Water Act initiatives.

TIAER was among the first to recognize that emerging environmental issues in agriculture required new policy. TIAER developed the Planned Intervention Microwatershed Approach (PIMA) to address landscape-based, polluted runoff issues. PIMA uniquely links USDA voluntary programs with EPA programs in a manner that is tailored to the needs of production agriculture. PIMA protects privately-held lands from government intrusion.

TIAER operates a one-million-acre outdoor laboratory, the Bosque River watershed, which consists of cropland, ranch land and, in the upper reaches of the North Bosque, a 250,000-acre watershed that is home to one of the largest concentrations of dairy farms in the Nation. The Bosque River watershed provides TIAER with a cross-section of agricultural lands and enables TIAER to address many of the environmental issues that production agriculture will face over the next quarter-century.

INDUSTRY-LED SOLUTIONS (ILS)—LEADERSHIP TOWARD ENVIRONMENTAL SOLUTIONS

A major focus of TIAER's work began with the conception of "Industry-Led Solutions" (ILS) in 1999. TIAER has hosted four national workshops and two regional Gulf of Mexico workshops with leaders of animal agriculture, the row crop industry, environmental groups, and government to explore ways that agriculture can proactively address environmental initiatives that will enable agricultural producers to be good stewards of the land while maintaining the economic viability of the industry. The intent is for ILS to serve as a "think-tank" for agricultural environmental issues.

The Nation is at a strategic point in determining how agriculture can meet Clean Water Act objectives. ILS is TIAER's response to the need for agriculture to become proactively involved in both policy initiatives and developing science-based programs that will lead to sustainable agricultural practices that provide for a strong economy and a healthy Earth.

Agricultural producers and TIAER work together in a unique manner. Agricultural producers lead all ILS initiatives. TIAER provides staffing for ILS programs. The multidisciplinary staff of TIAER enables ILS to address all issues related to resolving environmental issues in agriculture. TIAER is unique in other ways:

TIAER recognizes that the U.S. economy must remain strong in order to have a healthy Earth—"Strong economy, healthy Earth."

TIAER has the capacity to move quickly to address new initiatives. The TIAER Director reports directly to the Tarleton State University President. In addition, TIAER staff work full-time, further enabling TIAER to move quickly.

The institute operates in an entrepreneurial manner. TIAER has no permanent funding. Therefore, the institute must address issues that are seen by TIAER clientele as pertinent and useful in addressing problems and issues they face.

As a proponent of ILS, TIAER brings together the distinct concerns of entrepreneurs and environmentalists to develop effective public policies and cooperative, science-based solutions.

In the past 30 years, efforts to improve the Nation's waters focused on cleaning up point source discharges—with great success. Now, however, water quality efforts will increasingly address nonpoint sources for the next increments in water quality improvements. The Clean Water Act of 1972 provided little insight into how agriculture would address polluted runoff from crop and ranch lands. It has become evident over the past decade that agricultural lands are in the crosshairs of the EPA and environmental groups. The challenge lies in developing programs that are specifically tailored to the needs of agriculture. At this fifteen-year anniversary, TIAER looks toward facilitating future successes in improving our Nation's air and water quality. That is a laudable goal, and it is made possible by congressional appropriations support that triggers valuable matching dollars. I hope my colleagues will continue to support successful efforts like this—responsible federal funding triggering additional financial support. That is a partnership that makes sense.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he or she has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5386

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$867,738,000, to remain available until expended, of which \$1,250,000 is for high priority projects, to be carried out by the Youth Conservation Corps; and of which \$2,750,000 shall be available in fiscal year 2007

subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. SLAUGHTER:

Page 2, line 15, after the dollar amount, insert the following: “(reduced by \$1) (increased by \$1)”.

Page 28, line 2, after the first dollar amount, insert the following: “(reduced by \$5,000,000)”.

Page 46, line 8, after the dollar amount, insert the following: “(reduced by \$3,000,000)”.

Page 75, line 1, after the dollar amount, insert the following: “(reduced by \$2,000,000)”.

Page 107, line 1, after the dollar amount, insert the following: “(increased by \$5,000,000)”.

Page 107, line 21, after the dollar amount, insert the following: “(increased by \$5,000,000)”.

Ms. SLAUGHTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Chairman, over the past 40 years the National Endowment for the Arts and the National Endowment for the Humanities have proven themselves time and time again to be among our country's most valuable and successful organizations.

Their reach is national, their impact profound. They are tremendously beneficial to our economy, generating \$134 billion annually in economic activity. Artistic endeavors return some \$10.5 billion to the Federal Government in income taxes every year. And the arts support nearly 5 million full-time jobs.

When our children have art education in their lives, they score higher on their SATs, have greater self-confidence, and are more focused on their studies.

I ask you today to urge stronger Federal commitment to the arts by supporting this amendment to provide modest increases to the NEA and NEH of \$5 million each.

Unless we provide an overall increase for NEA, the programs like Challenge America and the Big Read, which have been so important, will be slashed. And they will reach fewer people.

Challenge America has enhanced America's communities through direct grants for arts education, at-risk youth and cultural preservation, community arts partnerships and improved access to the arts for all Americans, with local programs in every single congressional district.

Because of the NEA, more children have music in the classroom today than ever before, and high school students are participating in poetry sessions and learning more about Shakespeare. And our brave men and women

serving on our military bases throughout our country are entertained by popular opera performances.

NEA's Big Read program has resulted in committed partnerships among local government officials, schools, libraries and arts organizations to address the terrible national decline in literary reading.

As part of the program, a book is selected and everybody is encouraged to read it. It is that simple. The first 10 pilot programs now under way have proven to be overwhelmingly successful. The neighbors talk about “Great Gatsby,” friends are locked in heated debate about “To Kill a Mockingbird,” and coworkers are analyzing “Fahrenheit 451.”

Imagine the conversations, connections and community enrichment that will be generated if NEA expands the Big Read into 100 communities, as it currently plans.

The value of these programs should no longer have to be proved. The real question is, Will the Congress, with its patriotism and pride in America, prioritize the betterment of its culture?

In the late 1980s and 1990s, we funded the NEA at \$170 million. The NEA was last funded at this amount in 1994 and has never recovered from the awful budget cut it took.

As a result, today its invaluable programs remain seriously underfunded. The increases I propose today are modest, but without adequate funding the NEA and the NEH will be unable to continue these and other important programs.

I urge Members to vote for the Slaughter-Shays-Dicks-Leach-Price amendment and to preserve its funding in the final conference report. I thank my colleagues who have joined me today.

Mr. DICKS. Will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Washington.

Mr. DICKS. I want to rise in strong support of the gentlewoman's amendment. She has been a leader and a valued advocate on this issue for many, many years; and I am very proud to be associated with her on this amendment.

Mr. Chairman, I rise to urge support for this amendment offered by Mrs. SLAUGHTER and myself to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities.

The amendment would provide an additional \$10 million to be split equally between the two Endowments. The increase would be offset by a series of small cuts to several Interior Department programs.

I am gratified to note that the debate over the last few years has calmed down. The votes in favor of this annual Arts and Humanities amendment had been growing by an increasing margin. And last year, Chairman TAYLOR accepted this amendment without the need for a rollcall vote.

Although we offer this amendment each year, it is important that we again discuss the

importance of how this rather modest Federal support can have such large impact on our home districts. Most importantly, this seed money spurs private donations to the arts and humanities.

I still wish that we could restore the funding levels for the NEA and NEH back to their level 12 years ago but this amendment will get us closer. I urge your support on this important amendment.

Mr. SHAYS. Will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Connecticut.

Mr. SHAYS. It is my understanding that the chairman, if we can close this debate quickly, will gladly accept it.

Mr. Chairman, I rise in support of the Slaughter/Shays/Dicks/Leach/Price amendment which will increase funding for the National Endowment for the Arts and National Endowment for the Humanities.

As Dana Goia, the NEA Chairman, said "A great nation deserves great art."

How we prioritize the arts and humanities and their impact on our society and children's education says a lot about us as Americans.

Support of the arts should come from so many sources—individuals, foundations, arts consumers, and, yes, taxpayers. In a bill where we are spending \$29.5 billion on various government programs, I believe spending \$275.3 million on cultural programs is well worth the investment. It is a moderate amount of money that can have a big impact because today's economy is driven by ideas and innovation.

In fact, nationwide, there are 548,000 businesses involved in the creation or distribution of the arts and employ 2.9 million people. The fourth District of Connecticut is home to 2,841 arts-related businesses employing 14,711 people.

The Federal investment in the arts is the smallest part of arts funding. But we have a role—an important one. A stabilizing one. And one that we should continue.

I grew up in an arts family. My parents—both performing actors—met in the theater.

Listening to my father play the piano each night and hearing stories from their days on the stage gave me a profound appreciation for creative expression—an appreciation that I know so many of the constituents I represent share.

I thank the Chairman TAYLOR and Ranking Member DICKS for their continued support of the arts and humanities.

I urge my colleagues to support this amendment.

Mr. TAYLOR of North Carolina. We accept this amendment, Mr. Chairman.

Ms. SLAUGHTER. I thank the chairman very much.

Mr. FARR. Mr. Chairman, I rise in support of the Slaughter/Shays Amendment to the FY07 Interior Appropriations Bill that would add \$5 million each to the National Endowment for the Arts and the National Endowment for the Humanities.

Many of us do not recognize the role the arts play in our lives. But without the arts, our lives would be black and white. Arts add the color. Arts add the diversity and aid the understanding. Arts allow for expression and facilitate the acceptance. These experiences are truly immeasurable.

Cultures that have the ability to create, preserve and appreciate the arts are truly unique.

I know you can think of times when a certain peal of a trumpet, or glimpse of a color triggers something—a memory, an awareness, or an idea. Though art can trigger strong emotions, the value of these has not historically been measured. But they are no less important than our experiences that are quantifiable.

NEA and NEH ensure that Americans across the country can discover and share the treasure of artful expression while instilling a sense of historical and cultural heritage throughout the generations.

I urge my colleagues to recognize the benefits of preserving the arts and humanities by supporting this amendment's funding to NEA and NEH.

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of the Dicks-Slaughter-Shays-Leach-Price amendment to increase National Endowment for the Arts by \$5 million and increase the National Endowment for the Humanities by \$5 million.

The dividend this Nation receives from the Endowment for the Arts and the Humanities far exceeds the investment we make with the limited Federal dollars.

We could eliminate all funding for the endowments tomorrow, and the arts and humanities would survive.

That's not the issue.

The grants NEA provides don't make or break most theater productions, studio exhibitions or symphonic performances.

What NEA does with its grants is to ensure that these performances, exhibits and productions are shared with greater audiences of Americans.

Scholarly research on the humanities will continue without the NEH, but research, writings and creative thought on what it is to be an American, like the We the People initiative, the embodiment of who and what we are, and diffusion of this understanding and insight among Americans will suffer.

Mr. Chairman, there is too much that divides us as a Nation.

We need institutions like the NEA and the NEH, that find common ground through performances and pamphlets that inspire us to look past the parochial and appreciate greatness.

Support the Dicks-Slaughter-Shays-Leach-Price amendment.

Mrs. MALONEY. Mr. Chairman, as a proud representative of New York City, an important center of the creative industries in our Nation, I rise in enthusiastic support of the Slaughter-Shays-Dicks-Leach-Price amendment.

This amendment will provide a very small, but critical increase in funding for the National Endowment for the Arts and the National Endowment for the Humanities.

Earlier this week, I was honored to be joined by the gentlewoman from New York and the gentleman from Connecticut—sponsors of this amendment and co-chairs of the Arts Caucus—in passing legislation recognizing the American Ballet Theater for their 65 years of service as "America's National Ballet Theater."

The ABT is just one of well over 7,000 arts-related businesses in my district, employing nearly 120,000 employees—the highest number of arts-related jobs in the country.

And the NEA is key in bolstering the economic and creative force of these organizations.

Mr. Chairman, for the 120,000 arts-related employees that I represent and the countless

others who enjoy and benefit from their creativity and hard work, I urge a yes vote on the Slaughter-Shays-Dicks-Leach-Price Amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I rise as a cosponsor of the Slaughter amendment providing increased funding for the National Endowment for the Humanities and the National Endowment for the Arts.

For 40 years, the NEH has helped advance the study and understanding of our Nation's history, culture and heritage. The NEH provides seed money for high quality projects and programs that reach millions of Americans each year.

As Co-Chair of the Congressional Humanities Caucus, I am pleased to support this amendment, which would increase funding for NEH by \$5 million and for NEA by a like amount.

With a modest appropriation, the Humanities Endowment provides seed money for projects including continuing education for K–12 teachers and college and university faculty, television documentaries, educational museum exhibitions, and preservation of historically important books and newspapers.

The State humanities councils, in partnership with the NEH, reach millions of Americans each year in all 50 states with such activities as teacher institutes, literacy programs, and programs on local history and culture.

Today, the humanities play an increasingly important role in preparing our students and the public to be contributing and productive American citizens who also have a global awareness.

This modest funding increase will aid NEH's efforts to conserve and nurture America's heritage, bring the humanities to communities across the country, and educate the next generation of Americans.

I encourage my colleagues to support this amendment.

Mrs. LOWEY. Mr. Chairman, I rise in support of this amendment and strongly urge its adoption.

Our contributions to the arts and humanities are the standard by which our history as a society will be measured. A strong public commitment to the arts and humanities, along with a dedication to freedom, is the hallmark of great civilizations. History has shown that religious and political freedoms go hand in hand with greater artistic and literary activity, and that the societies that flourish and have a lasting influence on humanity are those that encourage free expression in all of its forms. This is a lesson that resonates with people of every age, background, and belief, and one that we can guarantee our children learn.

By sharing ideas and images from a diverse range of hack grounds and through many different media, the arts and humanities help to create a more informed citizenry. We are better prepared to meet the responsibilities of democracy; to ask ourselves the hard questions; to demand of our leaders the full answers; and to judge fairly the actual and potential endeavors of our country.

Our support for the arts and humanities also has a profound impact on our economy. In my Congressional District, there are close to 2,000 arts-related businesses, providing more than 9,000 jobs. This creates a substantial economic impact. Nationally, the arts industry generates \$134 billion in economic activity, sustaining over 4 million jobs.

Even more significant is the return on the investment for the American taxpayer. While the Federal Government spends just over \$250 million on the NEA and NEH annually, it collects over \$10 billion in tax revenue related to the arts industry. Federal funding for the NEA and NEH is crucial to the arts community, helping leverage more state, local, and private funds. Clearly, the numbers show that investment in the arts is important not only to our national identity, but also to our national economy.

Mr. Chairman, we must act decisively to commit ourselves to our national heritage and culture, by voting to increase funding for the NEA and NEH. I urge my colleagues to support creativity and reflection, to support our economy, and to support the continued growth and expression of democracy in its fullest form.

Mr. HOLT. Mr. Chairman, I rise today in strong support of the Slaughter-Shays-Dicks-Leach-Price amendment to provide much needed funds for the National Endowment for the Arts and the National Endowment for the Humanities.

As a scientist, I am often advocating for investments in math, science, and technology research, development, and education. These are worthwhile expenditures that contribute to innovation and economic growth, but our nation requires a parallel investment in the arts to retain the cultural and creative growth that ties our diverse society together.

This modest increase in funding will build programs that use the strength of the arts and our Nation's cultural life to enhance communities in every State and every county around America. The additional funds provided through this amendment would support the very successful Challenge America program, which brings the arts to rural communities and inner-city neighborhoods whose limited resources don't always allow for community arts programs.

In 2005, the Challenge America program provided grants to towns and cities in 99 percent of Congressional districts for jazz and blues festivals, showcases for regional musicians and artists, and public-private partnerships that bring the arts into local schools. Dozens of studies have demonstrated the significant positive effect of arts education on students' academic performance, self esteem, and behavior, and the Challenge America grants are an excellent mechanism to bring the arts to students who can greatly benefit from that exposure.

Similarly, the NEH serves to advance the nation's scholarly and cultural life. The additional funding contained in this amendment would enable NEH to improve the quality of humanities education to America's school children and college students, offer lifelong learning opportunities through a range of public programs, and support new projects that encourage Americans to discover their storied and inspiring national heritage.

It is clear that increasing funding for the arts and humanities are among the best investments that we as a society can make. They help our children learn. They give the elderly sustenance. They power economic development, even in regions that are down and out.

Will the projects that would be sponsored by this increase in funding help defend our country? Probably not, but they will make our country more worth defending. I urge my colleagues to support this amendment.

Ms. LEE. Mr. Chairman, I rise in strong support of the bipartisan Arts' Caucus amendment that would fully fund the National Endowment for the Arts, NEA, and the National Endowment for the Humanities, NEH.

I Would like to especially thank co-chairs of the Arts Caucus and the authors of the amendment—the gentlewoman from New York (Ms. SLAUGHTER) and the gentleman from Connecticut (Mr. SHAYS)—for their leadership on this issue.

In my district, the 9th congressional district of California, more than 10,000 people are employed in arts related jobs. They play an integral role in building and sustaining our local economy.

The AXIS Dance Company, an NEA grants recipient in Oakland California, is just one example of an organization in my community that relies on these funds to sustain their programs.

The AXIS Company includes dancers with and without disabilities. Thanks to an NEA Access to Artistic Excellence Grant, the company launched their first-ever Summer Intensive session last year.

As Judith Smith, the companies' artistic director, explains: "By presenting dance that includes dancers with and without disabilities we show youth what is possible when people with differences collaborate. . . . Ultimately it helps them see that they can do and accomplish whatever they set their mind to. This is the beauty of art."

The AXIS Company is but one example; nationally there are 548,000 arts-related businesses, but it is impossible to count how many lives are impacted by their services. The facts speak for themselves—if you cut arts funding, you cut jobs and opportunities for all.

Mr. Chairman, I strongly urge my colleagues to vote "yes" on the Arts' Caucus bipartisan amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The amendment was agreed to.

Ms. MILLENDER-McDONALD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the chairman. I would like to thank the gentleman from North Carolina in this colloquy. And, Mr. Chairman, as a resident of Southern California, I have witnessed the impact diesel emissions has had on our air quality. Our constituents are more likely to contract cancer, asthma and other respiratory problems. The emissions from older heavy-duty trucks, in particular, are among the highest contributors of ground level ozone, volatile organic compounds, and particulate pollution in the country. These trucks are the highest polluters among on-road transportation emissions sources.

As a primary player in the movement of goods, diesel engines play an important role in keeping our economy strong. While the administration has taken action with the diesel fuel engine regulations to reduce emissions, the EPA estimates that there are 11 million existing engines that still need to be fixed. This is why providing the

necessary resources for the important diesel initiatives under the Diesel Emissions Reduction Act should be central to any current national transportation plan.

We have worked extremely hard to ensure that Americans may have cleaner air where they work and live. I know, despite the bipartisan support we received for DERA funding, finding the funds for this program was a tough process. Ultimately, while cuts had to be made to DERA's appropriation, I am very proud to have worked with the subcommittee leadership to get the funds that we did receive. However, the fight is not over.

While the \$26 million will go far in the mission for reducing diesel emission, a great deal more is needed. Despite the fact that today's diesel vehicles are 99 percent cleaner than their 1970 counterparts, each older truck contributes an average of 1 ton of pollutants into the air per year. We must make certain that every effort will be made during conference to increase funding above the \$26 million level, or at least to consider keeping it where it is.

So, Mr. Chairman, the DERA program is very important to my district. These funds play a critical role in fully integrating today's technological advances with consumer demands and environmental needs in order to provide cleaner air where our constituents live and work. And I would like just to have the chairman respond that we hope that in the conference, at least the money that has been placed there by the administration will be maintained with perhaps increases if we can.

Mr. TAYLOR of North Carolina. Mr. Chairman, the gentlewoman has made a huge contribution on this matter to the committee. We did increase the amount up 12 percent from where we were. But I agree with the gentlewoman, if we can do more in conference, we will try to do it because the great need is there.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, \$32,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$867,738,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$769,253,000, to remain available until expended, of which not to exceed \$7,338,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which

funds were previously transferred for such purposes: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews or related partnerships with State, local, or non-profit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into non-competitive sole source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$11,476,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579,

including administrative expenses and acquisition of lands or waters, or interests therein, \$3,067,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$11,408,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102-381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and recovery activities, such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f-1 et seq., and Public Law 106-393) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not

appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed \$10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

Section 28 of title 30, United States Code, is amended: (1) in section 28 by striking the phrase "shall commence at 12 o'clock meridian on the 1st day of September" and inserting "shall commence at 12:00 ante meridian on the 1st day of September"; (2) in section 28f(a), by striking the phrase "for years 2004 through 2008"; and (3) in section 28g, by striking the phrase "and before September 30, 2008,".

Refunds or rebates received on an on-going basis from an information technology (IT) vendor as part of the Bureau of Land Management (BLM) consolidated IT procurements for the Department of the Interior and other Federal Government departments hereafter may be deposited into the Management of Lands and Resources Fund to be used to offset BLM's costs incurred in providing this service.

UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities,

\$1,016,669,000, to remain available until September 30, 2008, except as otherwise provided herein: *Provided*, That \$2,500,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: *Provided further*, That not to exceed \$17,759,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed \$12,581,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2006: *Provided further*, That of the amount available for law enforcement, up to \$400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: *Provided further*, That of the amount provided for environmental contaminants, up to \$1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$39,756,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$19,751,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$15,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, federally-recognized Indian tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish or supplement existing landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, candidate, or other at-risk species on private lands.

PRIVATE STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of

1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$7,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That the amount provided herein is for the Private Stewardship Grants Program established by the Secretary to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, candidate, or other at-risk species.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended, \$80,507,000 to remain available until expended, of which \$20,161,000 is to be derived from the Cooperative Endangered Species Conservation Fund and \$60,346,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$14,202,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, as amended, \$36,646,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106-247 (16 U.S.C. 6101-6109), \$4,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105-96; 16 U.S.C. 4261-4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301-5306), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), and the Marine Turtle Conservation Act of 2004 (Public Law 108-266; 16 U.S.C. 6601), \$6,057,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally-recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$50,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That of the amount provided herein, \$5,000,000 is for a competitive grant program for Indian tribes, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting said \$5,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-

fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant if its comprehensive wildlife conservation plan is disapproved and such funds that would have been distributed to such State, territory, or other jurisdiction shall be distributed equitably to States, territories, and other jurisdictions with approved plans: *Provided further*, That any amount apportioned in 2007 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2008, shall be reapportioned, together with funds appropriated in 2009, in the manner provided herein: *Provided further*, That balances from amounts previously appropriated under the heading "State Wildlife Grants" shall be transferred to and merged with this appropriation and shall remain available until expended.

AMENDMENT OFFERED BY MR. PUTNAM

Mr. PUTNAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PUTNAM:

Page 16, line 13, after the dollar amount insert "(increased by \$500,000)".

Page 107, line 21, after the dollar amount insert "(reduced by \$500,000)".

Mr. PUTNAM. Mr. Chairman, I rise today to submit an amendment to assist States dealing with the increasing problem of alligator attacks.

As you may know, just in the past week there have been a number of attacks resulting in three human fatalities, just in the State of Florida. Florida is not the only State that has to deal with this problem. Citizens across Alabama, Georgia, Louisiana, South Carolina, and Texas have all been victims of alligator attacks, often deadly, over the years.

The number of alligator complaints received by the Florida Fish and Wildlife Commission continues to grow. Last year there were over 18,000 complaints alone, which resulted in the removal of over 7,000 alligators.

Unfortunately, with three deaths in 1 week, current efforts are insufficient to prevent these attacks. I rise today to offer an amendment to add \$500,000 to the monies available to the States to hire trappers and expand alligator trapping activities.

Our support for nuisance alligator programs helps provide the critical resources States need to respond and remove these alligators, as well as educate the public on the prevention of these attacks.

Across the gulf coast and throughout the South, these attacks are increasing in frequency and severity and this amendment will help the States obtain the resources they need to accelerate their trapping program as we continue to face this challenge of an urban interface with the wildlife that are listed as threatened only because of their resemblance to the American crocodile.

□ 1345

There is no population concern whatsoever with the alligator.

And I thank my colleagues for their support and urge adoption of the amendment.

I see that the distinguished chairman of this subcommittee has risen, and I would be happy to yield to him for any comments.

Mr. TAYLOR of North Carolina. Mr. Chairman, I appreciate what the gentleman is trying to do, but I would ask him to withdraw his amendment.

The money that you want is in control of the State, and if you could withdraw, we will sit down between now and the conference and try to work with you.

Mr. PUTNAM. Mr. Chairman, reclaiming my time, certainly I recognize the difficult position that Mr. DICKS and Mr. TAYLOR are in in crafting an appropriate spending bill for this area. I appreciate the gentleman's expression of concern about this problem. Obviously being from the South, he understands the issues we are dealing with, and I hope that we will be able to work something out in conference toward that end.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. PUTNAM. I would be happy to yield to my friend from Washington.

Mr. DICKS. Mr. Chairman, even from Washington State we understand the severity of this problem because we have seen it on national television, but I want him to know we are very willing to work with the gentleman on this issue before the conference and during the conference.

Mr. PUTNAM. We appreciate that. Obviously, the Wildlife Grant Fund is something that is a formula-driven process and was an imperfect vehicle, but we certainly wanted to take this opportunity to make the important case for doing everything we can to ameliorate what has become a deadly situation this alligator mating season.

Mr. WELDON of Florida. Mr. Chairman, I rise to express my concerns about both the underlying Peterson amendment that was adopted in the committee and the amendment offered by my colleague from Florida. I voted against the Peterson amendment when it was offered in committee because it fails to include the 100-mile buffer along Florida's coast that

I believe is important to ensuring that we can adequately protect Florida's shoreline. I am not opposed to the drilling for natural gas, provided we have a 100-mile buffer to protect Florida's coast.

I want it to be very clear what I support and that is: a policy that allows for natural gas wells 100 miles or more off the coast of Florida.

The amendment before us, offered by my Florida colleague, however would ban natural gas wells not only along the Florida coast, but also along southern, central and northern California; Washington; Oregon; and the North Atlantic. It would not permit natural gas wells located 100 miles or more off the coast of Florida, and for that reason I will not support it.

There is some confusion that must be cleared up. No one here today is proposing that we allow natural gas wells within 3 miles of the Florida coast. In the event that the underlying bill before us is approved today the Presidential moratorium remains in place protecting Florida, and President Bush has pledged to ensure that Florida is permitted to maintain at least a 100-mile protective buffer. Moreover should the Presidential moratorium be removed, the Congress must enact legislation directing the Department of Interior on where to permit Outer Continental Shelf (OCS) leases. This is not a one step process.

Some have suggested that allowing natural gas wells will do little to address the energy costs in the United States. This claim simply is not based on sound economics. As many of my colleagues know, over the past decade there has been a dramatic increase in the use of natural gas to produce electricity. Switching to natural gas for electric power generation has been a very quick and cost effective way to reduce greenhouse gas emissions. According to a 2005 report from the Florida Public Service Commission, in 2003, 26 percent of Florida's electric power was generated using natural gas. By 2013, just seven years from now, the FPSC projects that over 50 percent of Florida's electric power will be generated using natural gas. Clearly, Florida is increasingly relying on natural gas to meet our everyday energy needs and ensuring a longer-term affordable supply of natural gas will help keep Florida consumer's power bills affordable.

When you consider this growing reliance on clean burning natural gas along with price increases we have seen, it is clear that Florida consumers will continue to pay higher costs for electricity if we don't address natural gas supply concerns. According to the U.S. Department of Energy, the costs of natural gas for electric power generation increased 300 percent between 2000 and 2005.

I look forward to working with my colleagues to support ensure that Florida has an adequate protective buffer while looking to meet our long-term clean energy needs.

Mr. PUTNAM. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 54

passenger motor vehicles, of which 54 are for replacement only (including 15 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That, notwithstanding any other provision of law, the Service may use up to \$2,000,000 from funds provided for contracts for employment-related legal services: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That, notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in the statement of the managers accompanying this Act.

Mr. EHLERS. Mr. Chairman, I move to strike the last word.

I rise to engage the distinguished chairman of the subcommittee in a colloquy, along with Mr. KIRK from Illinois.

Chairman TAYLOR, let me first thank you and the committee for the funding you provided to the Science and Technology Account of the EPA. This important funding will be used to address a wide range of environmental and health concerns, including both long-term basic research and near-term applied research in order to discover knowledge and develop technologies necessary to protect our environmental resources and prevent future harm. I recognize that the apparently dramatic increases are primarily due to transfers of funds from other accounts, and for that reason I would strongly discourage any Member from offering an amendment to reduce this account. Nevertheless, the minor increases in basic science research funding are much appreciated, and I wanted to convey my appreciation.

But I rise today to discuss an issue of pressing national importance: the cleanup and protection of the Great Lakes. The Great Lakes comprise the largest source of freshwater in the world, 20 percent of the Earth's total and 95 percent of surface freshwater in the U.S., and they provide drinking water, transportation, and recreation to millions of people in the U.S. and Canada. However, the Great Lakes are

plagued by contaminants from years of industrial pollution that have settled into the sediments of tributaries to the lakes. These pollutants degrade the health of both humans and wildlife and disrupt the beneficial uses of those waters. The longer we take to clean up these areas, the greater likelihood that the sediment will be transported into the open waters of the Great Lakes where cleanup is virtually impossible.

The Great Lakes Legacy Act, which was enacted in 2002 in response to slow cleanup progress, authorizes the EPA to clean up contaminated sediments in the Areas of Concern in the Great Lakes. This Legacy Act has an added advantage in that 35 percent of the funding comes from the local communities and the States. The Legacy Act program was funded at about \$29 million last year, and the authorization is \$50 million. The bill your committee drafted provides a small increase to \$29.6 million. Frankly, I considered offering an amendment to boost this total to that recommended by the President, to near full funding of \$49 million. I am also disappointed by the \$500,000 cut to the Great Lakes National Program Office, which operates the Legacy Act program, directs other EPA cleanup and protection actions in the lakes, and helps to coordinate the activities of other Federal agencies within the region. But I decided against offering an amendment because I recognize that limited resources are available to you in this bill because of your small allocation.

I can assure you that I am not the only one concerned about these funding levels. Last year over 1,500 Federal, State, and local government officials, scientists, engineers, and other stakeholders participated in the President's groundbreaking Great Lakes Regional Collaboration. This diverse group of experts and advocates developed a strategic action plan for restoring the Great Lakes. Among the recommendations was \$150 million in annual funding for the Legacy Act. This funding level is justified because of the success of the six projects that are completed or underway or in the pipeline and nine other potential projects being considered by the EPA. In fact, Federal and State officials involved in cleaning up contaminated sediment have recently estimated that 75 million cubic yards of sediment need to be remediated at a total cost range of \$1.6 billion to \$4.4 billion. The comparatively small amounts in the Legacy Act will help leverage State, local, and private dollars and get some of these ready-to-go projects off the ground.

Chairman TAYLOR, I urge you to work with me and my Great Lakes colleagues on increasing funding for this important, oversubscribed program, and help to jump-start restoration efforts for this national treasure. We simply cannot wait.

I yield now to my friend from Illinois, a stalwart champion of Great Lakes restoration and my Cochair of the Great Lakes Task Force, Mr. KIRK.

Mr. KIRK. Mr. Chairman, I thank my friend for yielding and strongly share his sentiments regarding the importance of funding the Great Lakes and especially the Great Lakes Legacy Act.

As the gentleman from Michigan noted, the Great Lakes are a national treasure. Our history is filled with supporting these national treasures, and in 2000 Congress and the administration rose to the occasion, providing a restoration plan for the Everglades that yielded impressive results.

Today the country is beginning to recognize a new effort. The Great Lakes Regional Collaboration brought together local, State, and national officials and interests, including the administration, to work on a coherent plan, a thorough plan for Great Lakes restoration and protection. Last December all Great Lakes Collaboration members met and endorsed this process. But we must go further. We must waste no time in moving forward with tangible changes in practice and funding. The Great Lakes face a myriad of threats, from invasive species to mercury contamination to the effects of long-term pollutants which are awaiting cleanup. These same Great Lakes are also an invaluable resource for drinking water, recreation, and transportation purposes. And to protect them we must increase coordination and funding of Great Lakes programs.

The Great Lakes Legacy Act provides an essential function: addressing sediment contamination in areas of concern in the Great Lakes. My district contains Waukegan Harbor, a contaminated area that, if properly cleaned, would increase the economic value of lakefront property by over \$800 million.

Mr. KIRK. Mr. Chairman, I move to strike the last word.

The Great Lakes Legacy Act funding cleans one of our national treasures while simultaneously adding value to the areas it addresses.

I strongly urge the chairman to lend his support to this program as we move through the committee process. More funding for the Great Lakes Legacy Act is extremely important in the overall effort to clean up the Great Lakes and to restore the economy of our region.

Mr. Chairman, I yield to the chairman of the subcommittee.

Mr. TAYLOR of North Carolina. Mr. Chairman, I appreciate the comments of the gentleman from Michigan and the gentleman from Illinois. I recognize the importance of the Great Lakes as a natural resource and an issue of national importance. I commend those involved in the Regional Collaboration for their work, which will provide research managers and policymakers with a helpful guide in setting priorities and implementing critical resource and protection programs.

The committee allocation did not allow us to provide a sizable increase in the funding for the Great Lakes Legacy Act. Indeed, many programs in the bill are funded substantially below the 2006

level while the Great Lakes program received an increase, albeit a small one.

I would be happy to work with my colleagues to see if we might increase funding for this program should additional funds be available when we go to conference with the Senate.

Mr. EHLERS. Mr. Chairman, will the gentleman yield?

Mr. KIRK. I yield to the gentleman from Michigan.

Mr. EHLERS. Mr. Chairman, I thank the chairman for his assurance. I thank him for his consideration.

And I also wish to thank the Chairman of the Committee of the Whole House for being generous with his time and also for his outstanding work over the years in working for the Great Lakes.

Mr. KIRK. Mr. Chairman, I thank these two chairmen.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, \$1,754,317,000, of which \$9,829,000 is for planning and interagency coordination in support of Everglades restoration and shall remain available until expended; of which \$86,164,000, to remain available until September 30, 2008, is for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which \$1,909,000 is for the Youth Conservation Corps for high priority projects: *Provided*, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$10,000 per event subject to the review and concurrence of the Washington headquarters office: *Provided further*, That funds in this account may be spent without regard to the "no net loss" of law enforcement personnel policy.

AMENDMENT OFFERED BY MR. WEINER

Mr. WEINER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Page 20, line 3, after the first dollar amount, insert the following: "(increased by \$1,000,000)".

Page 46, line 8, after the dollar amount, insert the following: "(reduced by \$1,000,000)".

Mr. WEINER. Mr. Chairman, on September 11, like so many institutions of the Federal Government, everything came to a halt, including all the facilities of the national parks. Almost immediately thereafter, we began a process to reopen them. We reopened them literally but we also reopened them

symbolically to say, in the words of Secretary Norton from September 12 of that year, "Even though atrocities such as those of September 11 can affect us, they cannot close us down." She said that while standing above Hoover Dam on September 12, 2001.

Today, after a period of a couple of months after September 11, all of the facilities of the national parks were reopened. Today these many years later, all of them are reopened except one, perhaps the most symbolic national park that there is, the Statue of Liberty. The Statue of Liberty is still not reopened. Why? Well, it is not for lack of money. We in Congress have allocated more than \$19 million to do security upgrades, to do improvements to the facility. In fact, there has been over \$6 million that was raised privately. We all remember the Statue of Liberty Foundation, major companies lined up, people sent in their coffee tins. Boys and girls from around the country collected pennies and dimes and nickles to help reopen the Statue of Liberty. So it is not for lack of funding.

Frankly, the reason that the Statue of Liberty is still closed is the lack of imagination and will on the part of the Park Service. Over the course of years, we in this House have said in many different ways either open it or tell us why you cannot. And each time they said things like, well, we are still thinking about it, we are pondering it, we are trying to figure it out.

The final analysis is quite clear. They do not want to reopen it. They are concerned they cannot possibly make it safe. Some of us have suggested why not have no bags permitted? Why not say only a limited number of people can go in? Why not suggest that you have reservations in advance? Why not come to us and say maybe we need additional security? No. In fact, what they said is you can go to the part that was built here in the United States, but the iconic Statue of Liberty that all of us remember climbing up to when we were children is closed. It is the only national park that is.

It is a shame. In fact, in the words of the Daily News, it is worse than a shame. It says we need to break the ties that bind Miss Liberty and that continue to make her a laughingstock for al Qaeda. That might be strong, but I want to tell you something. It is hard to explain any other way how the one park that was closed after September 11 is still closed. Let us have it reopen. And if the Park Service says we cannot do it, we figured out a way to open the Capitol. We figured out a way to open the Washington Monument. We figured out a way to open Hoover Dam. We figured out a way to open up all of the other national parks. This one, we simply cannot figure it out.

Have them come to us. Have them come to Mr. DICKS and Mr. TAYLOR, who have shown great creativity in finding ways to help the Park Service

do their job and let us reopen Statue of Liberty to her crown. Doing anything else is, frankly, to cower in the face of this challenge. This is not that difficult a challenge, but I can tell you this: It is certainly a symbolic one. To say that we simply cannot allow future generations of children to climb up through the statue, to peer out and to say, you know what, we are completely back on our feet after September 11, to make this of all the symbols the one that we refuse to open is simply a shame.

What my amendment does is simple. It does not say the words "Statue of Liberty" anywhere. It takes \$1 million and moves it from a personnel account to the equipment account to help them provide security. But this is a chance and it is a chance for all of us in the House to go on record and say reopen Statue of Liberty. If you need to come back, if you need to say to us there are considerations that we need to take into account, we have never been shy in this House in a bipartisan fashion of accommodating the Park Service and every other agency of government.

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If they have a legitimate concern, we are Americans, we can solve those concerns. This might be a difficult challenge to make because they are narrow. It is an old structure, it is a historic structure, it is a symbolic structure, it is an iconic structure.

To simply say, well, you can go visit the island and pat Lady Liberty's toes is not good enough. This is an opportunity for us to say reopen the Statue of Liberty, and all of those of you who go on record and say "yes" to this amendment, we will send a clear message not only to the Park Service that we mean business, but we will send a clear message to terrorists who think we are going to start closing down our icons simply because they attack us.

We were bowed on September 11. We lost over 2,800 of my neighbors. But I can tell you this: the closest national park to Ground Zero still being closed is an insult to their memory, and this is an opportunity for us to do something.

I want to thank in advance the gentleman from Washington and the chairman of the subcommittee for their indulgence. This is a chance for us to do the right thing and also do the symbolic thing.

Mrs. MALONEY. Mr. Chairman, I rise in support of the amendment.

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I can understand the gentleman's concern. The Statue of Liberty was reopened to the public on August 3, 2004, but the crown was not opened at that time, and let me tell you why the crown was not opened to the public: safety and security.

The statue has long been recognized by the intelligence community as one of the highest profile targets for terrorists. After the events of 9/11, the Department of the Interior made the decision to close the statue to assess its vulnerability to attack.

The Interior Department asked the Defense Threat Reduction Agency and other recognized experts to conduct bomb blast and other security analyses on the statue. Based on the results, the Park Service spent nearly \$20 million on numerous safety and security improvements.

They did open the statue, except for the crown. The decision was made that the visitors could not be properly protected on the narrow spiral staircase in the crown, the thinnest part of the statue, and the Department of the Interior made the decision not to open that section. So I would urge defeat of this amendment.

Mr. WEINER. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from New York.

Mr. WEINER. Mr. Chairman, I am concerned that the narrowness of the stairwell is such an inhibitor. We have some awful narrow passageways in this building. We have reopened the White House with very intricate security concerns.

Certainly, with all of us putting our minds together, with the resources that we have, certainly we can figure out a way. For example, we could say you can have no bags. We will have a second security check. We will limit it only to a few dozen people a day. The symbolism is so important, I can't imagine we are technically unable to secure this site.

Mr. TAYLOR of North Carolina. I am not qualified to speak on why the intelligence service says this, but I would yield to a gentleman to make a comment about who is qualified to make statements on that.

Mr. PEARCE. I thank the gentleman for yielding and I appreciate the concerns of the gentleman from New York. As the National Parks Subcommittee chairman, I would say that this issue has not been brought to us and that we would gladly hold a hearing on it.

On my own last year, Mr. Chairman, last year in October I did go to the Statue of Liberty to ask similar questions. The island is open. The statue is open to the base.

Originally, the stairs all the way to the crown were installed for maintenance. They are extremely narrow, and the problem with evacuations, I forget the exact time, but the time to evacuate the statue is very high.

Again, the gentleman talks about securing the statue, and that is a plus and a minus question. The idea of securing the World Trade Center would have 5 years ago or 6 years ago been just, yes, it is possible. I don't think we can anticipate all of the factors that could come in.

Like I said, I would be more than happy to look into the issue. I would be

happy to have public hearings, but I would like that request submitted to the Parks Subcommittee.

I would oppose the gentleman's amendment, with all due respect. I understand what he is trying to do, and I understand the frustration. I am not always on the side of the park's management team, but in this case I have been; and I have taken a look at it myself and see the problems they are wrestling with. No amount of money can change the size and scope of the stairways. It is limited by the inside diameter of the statue itself.

I recognize what your concern is. Our attempt in going to see so many parks is to see how we can increase visitation, how we can increase the enjoyment. So you and I are approaching this from a very similar fashion. But, myself, I struggle.

The Park Service did have a significant study, a multiple-page study; I have copies of that and would be happy to share them with the Members of the Chamber. But, Mr. Chairman, I would oppose the amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Washington.

Mr. DICKS. Are you suggesting a public hearing?

Mr. PEARCE. Yes, I would be happy to do public hearings. Since I have been chairman, just almost a year, I suspect we have done oversights or hearings on business plans and the numbers of visitors coming into parks. We have done two field hearings. We have done hearings on access for the handicapped.

So we have done multiple, multiple oversight on subjects such as this. I would be happy to work with the gentleman.

Mrs. MALONEY. Mr. Chairman, I rise in support of my colleague from New York's amendment that would re-open all of the Statue of Liberty, the symbol of American freedom. When our Nation was attacked on September 11, 2001, a number of our national landmarks were temporarily closed to the public for security reasons. It is now four and a half years since that terrible day, and only one of these national treasures remains closed—Lady Liberty. Visitors to Liberty Island, which remains open while most of the statue is closed, have been down as much as 50 percent from pre-9/11 levels, and that hurts the economy of New York City.

Mr. Chairman, when terrorists attacked our country, they hoped that they could restrict our freedom and our way of life. They miscalculated the tremendous freedom-loving spirit of New Yorkers and Americans, who have showed their resilience. But it would be a tremendous additional display of our Nation's ever-lasting freedom to re-open the Statue of Liberty and to welcome visitors from around the world back to the statue that has long been a signal of hope. The Park Service shouldn't have to resort to essentially holding a bake sale for private donations to try to get it re-opened. Our Nation's beacon of liberty deserves better than that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WEINER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

Mr. MCHENRY. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the chairman.

Chairman Taylor, thank you for your leadership for North Carolina. We are so grateful in our State for your steadfast work and dedication to the cause of decreasing the size and scope of government. I just want to commend you for that work.

I would like to discuss an important issue in my district, as well as for western North Carolina.

In recent months, one of the most pressing matters that the Unifour Air Quality Committee, which is comprised of representatives from various organizations in four counties in western North Carolina within my district, has been dealing with is the accurate monitoring and control of fine particulate matter emissions, better known as PM 2.5, specifically in Catawba County.

As you know, PM 2.5 monitor readings at the Water Tower monitoring site, maintained in Catawba County by the North Carolina Division of Air Quality, recently indicated an annual reading slightly above 15 micrograms per cubic meter for PM 2.5, although the measurement was within the equipment's margin of error. Thus, Catawba County has been placed in non-attainment status for PM 2.5.

Mr. TAYLOR of North Carolina. I am aware of this situation. I understand that the Environmental Protection Agency should soon be releasing the results of the March audit for the Catawba area.

Mr. MCHENRY. I thank the chairman. It is also my understanding of the EPA audit. We hope to have the results of the audit as soon as possible so the Unifour Air Quality Committee can best determine what proactive steps need to be taken to control and monitor PM 2.5 emissions effectively. We also hope that the EPA has given careful consideration in its audits to the maps and other data the Unifour Air Quality Committee provided to the EPA in an effort to place the PM 2.5 monitoring data in context.

Mr. TAYLOR of North Carolina. I thank you, Congressman MCHENRY. I appreciate your leadership on this important issue and assure you that I will look forward to working with you on this issue. The committee will be in contact with EPA on the monitoring of PM 2.5 emissions in the Catawba area of North Carolina. Thank you for your effort.

Mr. MCHENRY. Thank you, Mr. Chairman.

Mr. PEARCE. Mr. Chairman, I move to strike the last words for purposes of

entering into a colloquy with the chairman of the Interior Appropriations Subcommittee.

Mr. Chairman, as chairman of the House Resources Subcommittee on National Parks, I am deeply concerned with the fate of our national parks along our southern border, Organ Pipe Cactus National Monument, Coronado National Monument, Big Bend National Park, Amistad National Recreation Area, Padre Island, National Seashore and others. Both staff and I have seen firsthand the wanton destruction and detrimental effects that illegal immigration and drug-running has had on some of our most fragile desert environments in our country.

It has become so bad at Organ Pipe Cactus National Monument that up to one-third of the park is now closed to the public because the area is occupied by armed drug traffickers, and park employees cannot work throughout the park without an armed escort. We are not talking about potential impacts or future problems. These damages are occurring as we speak.

I believe the National Park Service has blatantly ignored the congressional mandate to conserve these resources, including a number of listed species, unimpaired for the enjoyment of future generations.

While the U.S. Border Patrol is doing what it can to slow the flow of illegal activities through our parks, resource protection is not their priority. The National Park Service must be given the manpower to protect the visiting public and the national resources.

Mr. TAYLOR of North Carolina. I, too, am aware of this increasingly difficult situation, not just in the national parks, but along other public lands funded in this bill. They comprise 43 percent of the border, the southern border. We need to work together. I would like to travel to that area. Perhaps we could hold a hearing in that area to draw the attention necessary. We need to work with our friend and former colleague, Rob Portman, once he is confirmed as the new director of OMB to ensure that adequate funds are provided to protect these lands.

We have very little money for park rangers for 43 percent of the border. However, I believe that this is primarily the responsibility of Homeland Security. This subcommittee has expressed its concern to the administration over the past 4 years about additional Homeland Security duties imposed on agencies like the Park Service without providing additional funds. We also find in many other tribal lands that we are having some of the same problems.

Mr. PEARCE. I would like to thank the chairman for his recognition of a serious problem and take seriously his commitment to meet with both Director Mainella and incoming OMB Director Portman to discuss what we can do. I think if we address this serious growing problem, then your willingness to work with us will cause the situation

to become much better for the public to be better served and for the Park Service to be better served. I thank the chairman for his indulgence.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, \$84,775,000.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, \$47,161,000: *Provided*, That none of the funds in this Act for the Rivers, Trails and Conservation Assistance program may be used for cash agreements, or for cooperative agreements that are inconsistent with the program's final strategic plan.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$58,658,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2008, of which \$15,000,000 shall be for Save America's Treasures for preservation of nationally significant sites, structures, and artifacts and of which \$3,000,000 shall be for Preserve America grants to States, Tribes, and local communities for projects that preserve important historic resources through the promotion of heritage tourism: *Provided further*, That any individual Save America's Treasures or Preserve America grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant: *Provided further*, That competitive projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations and with the Advisory Council on Historic Preservation prior to the commitment of Preserve America grant funds.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$229,934,000, to remain available until expended: *Provided*, That none of the funds available to the National Park Service may be used to plan, design, or construct any partnership project with a total value in excess of \$5,000,000, without advance approval of the House and Senate Committees on Appropriations: *Provided further*, That notwithstanding any other provision of law, the National Park Service may not accept donations or services associated with the planning, design, or construction of such new facilities without advance approval of the House and Senate Committees on Appropriations: *Provided further*, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be expended consistent with the requirements of the fifth proviso under this heading in Public Law 108-108: *Provided further*, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be available for obligation only if matching funds are appropriated to the Army Corps of Engineers for the same purpose: *Provided further*, That none of the funds provided under this heading for implementation of modified water de-

liveries to Everglades National Park shall be available for obligation if any of the funds appropriated to the Army Corps of Engineers for the purpose of implementing modified water deliveries, including finalizing detailed engineering and design documents for a bridge or series of bridges for the Tamiami Trail component of the project, becomes unavailable for obligation: *Provided further*, That none of the funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be available for obligation if the consent decree in United States v. South Florida Water Management District is terminated prior to the achievement of the requirements of the consent decree as set forth in Appendix A and Appendix B, including achievement of the 10 parts per billion numeric phosphorus criterion throughout the A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park: *Provided further*, That hereafter, notwithstanding any other provision of law, procurements for the National Mall and Memorial Park, Ford's Theatre National Historical Site accessibility and infrastructure improvements may be issued which include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

LAND AND WATER CONSERVATION FUND (RESCISSION)

The contract authority provided for fiscal year 2007 by 16 U.S.C. 4601-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$29,995,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which \$1,625,000 is for the State assistance program administration: *Provided*, That none of the funds provided for the State assistance program may be used to establish a contingency fund.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 233 passenger motor vehicles, of which 193 shall be for replacement only, including not to exceed 190 for police-type use, 11 buses, and 6 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That not to exceed \$66,000 of funds available to the National Park Service in this Act may be used to provide a grant to the Washington Tennis and Education Foundation for recreation and education programs to be offered to at-risk school children in the District of Columbia.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

If the Secretary of the Interior considers that the decision of any value determination proceeding conducted under a National Park Service concession contract issued prior to November 13, 1998, misinterprets or misapplies relevant contractual requirements or their underlying legal authority, then the Secretary may seek, within 180 days of any such decision, the de novo review of the value determination by the United States Court of Federal Claims. This Court may make an order affirming, vacating, modifying or correcting the determination.

In addition to other uses set forth in section 407(d) of Public Law 105-391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefiting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefiting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefiting unit, in the amount of funds so expended to extinguish or reduce liability.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; \$991,447,000, of which \$64,171,000 shall be available only for cooperation with States or municipalities for water resources investigations; of which \$7,882,000 shall remain available until expended for satellite operations; of which \$21,083,000 shall be available until September 30, 2008, for the operation and maintenance of facilities and deferred maintenance; of which \$2,000,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed \$100,000 in cost; of which \$175,597,000 shall be available until September 30, 2008, for the biological research activity and the operation of the Cooperative Research Units; and of which, \$13,000,000 shall be available only for the Mid-Continent Mapping Center (MCMC) in Rolla, Missouri to continue functioning as a full service mapping organization: *Provided*, That none of the funds made available under this Act may be used to consolidate the functions, activities, operations, or archives of the Mid-Continent Mapping Center (MCMC), located in Rolla, Missouri, into the National Geospatial Technical Operations Center

(NGTOC): *Provided further*, That none of the funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

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AMENDMENT NO. 8 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. TANCREDO:

Page 28, line 14, strike “; and of which” and all that follows through “*Provided further*,” on line 22.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment. We have not seen the amendment. The gentleman has not shown us the amendment.

The CHAIRMAN. The point of order is reserved.

Mr. TANCREDO. Mr. Chairman, this amendment will strike language added during the committee markup that prevents the U.S. Geological Survey from consolidating its older and obsolete mapping centers into a single consolidated national geospatial technical operations center.

According to the agency, the consolidation is critical to the USGS's ability to lead the Nation in facilitating and leveraging geospatial information services.

The centers USGS is attempting to consolidate were established many years ago to support a large field-based workforce spread out across the country when map production involved exhaustive field survey and was more manually intensive. That was fine back then, but it makes no sense now.

USGS, by their own admission, no longer manually collects and plots this kind of information, nor do they print a large volume of maps. Advanced technologies like remote sensing, we have all seen Google Earth, along with consumer demand for easy access to digital products have the USGS role.

The language in my amendment would strike needlessly imposing a 20th century paradigm on an agency that is desperately trying to make its way into the 21st century. This consolidation is not only saving taxpayers money, but it will create a more effective, efficient and modern USGS that is better prepared to work with partners in the State, local and private sectors.

In addition, it will make the agency more user friendly, a better place to respond to the needs of the most important customers, the U.S. taxpayer. This consolidation plan announced in September of last year has been rigorously reviewed twice, once by an internal USGS review team and again by

the Interior Department Inspector General.

Both found the process leading to the decision to consolidate the facilities was open, fair and adequate. The mission of the USGS is to serve the Nation by providing reliable, scientific information to describe and understand the Earth, minimize loss of property from natural disasters, manage water, biological energy and mineral resources and enhance and protect the quality of life.

Its mission is not to maintain antiquated facilities or outmoded paradigms to serve the parochial interests of the State or the Nation.

Mr. Chairman, I do intend to withdraw this amendment, but I first would yield to my colleague from Colorado.

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, the gentleman makes a compelling point that we would be following the recommendations of a number of groups. Primarily the Bush administration has pointed out that this is a sound business decision that is fair to the taxpayers.

I believe the gentlemen's amendment should be supported today, but we will support whatever decision he decides is appropriate.

The amendment would remove language from the bill requiring the USGS to have a “full service mapping organization” at a specific location.

The Interior Department says that this would require them to continue to use outdated technology and would block them from their plans to consolidate mapping operations.

The Bush Administration objects to the language now in the bill because they say it is not fiscally responsible and would reduce their ability to provide needed geospatial information.

In a letter to the appropriations committee, the Interior Department describes their plans as being “a sound business decision” that is “fair to the taxpayers.”

I think that description is accurate, showing that even this Administration sometimes gets things right.

So, I think that on this matter we should do what they suggest.

I urge adoption of the amendment.

Mr. TANCREDO. I yield to the gentleman from Colorado.

Mr. BEAUPREZ. I thank the gentleman for yielding.

Mr. Chairman, I would join with my additional colleague from Colorado in supporting the gentleman's amendment. I entered into a colloquy earlier on the debate over the underlying bill and had that colloquy with the chairman of the subcommittee, and so my comments are in the RECORD. But I too am very supportive. I want to be on record as supporting the gentleman's amendment in every way, shape and form, and join my colleague, Mr. UDALL, as well.

Mr. TANCREDO. Mr. Chairman, reclaiming my time. I hope we can work together on this issue.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am pleased that the gentleman has decided to withdraw his amendment, because if he had been studying this issue as long as we had in Missouri you would find, number one, that the cost of moving the mapping facility to Denver, Colorado, is an increase to taxpayers of \$2,069,322, and a 13.8 percent increase over the cost today of managing this program.

Now, let me just give you a little bit of history about this. Originally the goal was to consolidate the four USGS mapping sites and find the office that would be most competitive against the private sector. This is according to the former USGS Director. And Rolla, Missouri, the facility that we have today, has scored the best out of all of the criteria that the USGS committee put together for this planning. As a matter of fact, it scored 4.18 out of a possible 5, and Denver scored 2.84 out of a 5. The USGS planning committee actually recommended that the mapping center be located in Rolla, but it was subsequently decided by one individual within USGS to move it arbitrarily, so that it would lose against private competitors.

And let me also say that the Inspector General who did a report at the request of Senators BOND, TALENT and I, has found that USGS “failed to effectively and transparently demonstrate the entirety of its criteria or communicate the magnitude of its rationale.” In effect, the decision was made by one person who dismissed an entire team and planning process which was convened to select the site.

Mr. Chairman, I would like to yield to my colleague from Missouri (Mr. HULSHOF).

Mr. HULSHOF. I appreciate first of all the tone in which the gentleman offers this amendment. In the health care field, the Hippocratic Oath says first do no harm. A colloquialism from the outstate Missouri region that I think is appropriate here is, if it ain't broke, don't fix it.

I can assure my friend from Colorado that the National Geospatial Technical Operations Center in Rolla, Missouri, is a bargain for America's taxpayers and then some. The 160 employees at USGS Rolla are extremely proficient and possess a specialized technical skill. In fact, I heard the word “obsolete.” These specialized individuals worked around the clock to produce digital data sets of graphics in the aftermath of Hurricanes Rita and Katrina.

USGS Rolla continually provides the most current imagery and other geospatial data to the Departments of Homeland Security and Defense. They form useful partnerships with Fort Leonard Wood as well as University of Missouri Rolla. The latter especially focuses on earthquake preparedness, as

the gentlewoman from southeast Missouri knows is so important in response to the New Madrid fault.

USGS is not obsolete. It does play a critical role in Rolla in disaster response, and is the best and most affordable choice for this functionality.

Mrs. EMERSON. Mr. Chairman, reclaiming my time, I want to thank the gentlemen from Missouri. I also want to point out to my colleagues from Colorado that the USGS facility in Rolla provides geospatial data to the border health issue, which I know is of great interest to the gentlemen.

And I do want to correct a mistake. I did say that Denver scored 2.84 out of 5 as compared to Rolla, which was 4.18. Denver actually scored 3.11 out of 5, as compared to 4.18 for Rolla.

Mr. TANCRED. Mr. Chairman, I move to strike the last word. I would like to engage in a colloquy with the chairman.

Mr. Chairman, I had intended to offer an amendment that would prevent the use of funds to delay action on a petition to remove the so-called Preble's Jumping Mouse from the Endangered Species List.

I say so-called, because in December of 2003, a scientific study conducted by biologists and the Chair of the Denver Museum of Natural History's zoology department, concluded that the Preble's Mouse is, in fact, not really a valid subspecies at all.

Ms. Ramey's findings contradicted a 1950 study based on just three museum specimens. That was the basis of the original "threatened" designation. Ironically, the Arizona professor who conducted the study a half century ago himself now agrees that Ramey's research invalidates his findings.

In early 2005, in the wake of Ramey's study, the U.S. Fish and Wildlife Service determined the petition to delist the mouse was warranted, and the agency began the delisting process. Better late than never, although that belated policy shift is not much of a consolation to those who have coughed up an estimate \$8 to \$17 each year in compliance costs.

Mr. Chairman, I believe that Dr. Ramey's work and the courage of former Interior Secretary Gail Norton to take action on it were important steps in our effort to base conservation decisions on science instead of politics or emotion.

Unfortunately, however, progress is stalled. In January of this year, the bureaucracy questioned the Ramey study, and in February the agency pushed back a decision on the delisting petition for another 6 months.

Mr. Chairman, I feel the agency is falling back into the all too familiar analysis paralysis that has become the hallmark of the Federal resources agency.

Quick action on this petition is extremely important to the people of my congressional district. I hope we can work together to ensure the agency's bureaucrats do not successfully subject

this delisting petition to death by delay.

Mr. TAYLOR of North Carolina. Will the gentleman yield?

Mr. TANCRED. I yield to the gentleman from North Carolina.

Mr. TAYLOR. Mr. Chairman, I sympathize with the gentleman's position. The Director of the Fish and Wildlife Service has informed the committee that he does not anticipate further delays in the delisting decision.

I would be happy to work with the gentlemen to ensure that the Service lives up to that commitment. I appreciate the gentleman calling that to our attention.

Mr. TANCRED. I appreciate the chairman's attention to this issue. It is an extremely critical one in my area.

Mr. STEARNS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had an amendment that I was going to offer and then withdraw it. So I think all I am going to do today is place my statement in the RECORD and speak briefly in a colloquy with the chairman about this.

Mr. Chairman, I want to bring to my colleagues' attention a very important site called Fort King, which is in Florida. It is in my hometown of Ocala. It is a very prominent place in American history. Fort King is a site where Chief Osceola fought against the United States in the chapter of American history, the Second Seminole War. This is from 1835 to 1842.

This site in Ocala, Florida is represented by my good friend, Congressman KELLER, who also supports the idea of making Fort King part of a National Historic Landmark, because it played such a distinct role in the founding of our wonderful State of Florida.

Secretary of the Interior Gail Norton designated Fort King a National Historic Landmark on February 24, 2004, and we were greatly pleased. Then in November, 2005, Fort King entered a draft special resource study and environmental impact statement public comment period.

This continued, Mr. Chairman, and we look forward to moving Fort King along in the process, and so now I am working toward preserving Fort King in perpetuity as a National Park.

Mr. Chairman, I would like to bring this to your attention. We have put in a request to fund it, and I think my only purpose today is to bring it to the chairman and his staff's attention how important it is to the history of Florida and its founding, and then if you in the future would consider it, that would be utmost appreciated.

Mr. Chairman, I would be glad to yield to Chairman Taylor.

Mr. TAYLOR of North Carolina. Mr. Chairman, I thank the gentlemen. I do recognize and appreciate you drawing it to our attention, the significance of the history of this matter, and we will take a look at it and see what we can do to work with the gentlemen.

Mr. STEARNS. Mr. Chairman, reclaiming my time. I thank the gentleman.

Mr. Chairman, I would like to take this opportunity to talk about an important site called Fort King, Florida, a site prominent in American history. Specifically, Fort King is the site where Chief Osceola fought against the United States, in a chapter of American history, the Second Seminole War from 1835–1842.

My home (and Representative RIC KELLER's), Ocala, Florida, is home to Fort King. This Fort played a direct role in the founding of Florida as a State.

Secretary of the Interior Gale Norton designated Fort King a National Historic Landmark on February 24, 2004, to our great delight. Then, in November 2005, Fort King entered a Draft Special Resource Study and Environmental Impact Statement public comment period. This continues, and we look forward to moving Fort King along in the process of preservation. And now, I am working towards preserving Fort King in perpetuity as a National Park. My good friend and colleague in the neighboring District, the Honorable RIC KELLER, who also represents Ocala, has collaborated with me on this effort.

Historic sites are a vital link between current and future generations of Americans and those who came before us. These landmarks give context to the national experience and help us understand our past so that we can envision our future.

What happened at Fort King? It is a very long story, about which I will elaborate longer on another occasion. The abbreviated story is that on December 28, 1835, Fort King was the site of an outbreak of hostilities between the United States Government and the Seminole Indians. The Seminoles were led in this attack by Chief Osceola. This attack began the Second Seminole War, which lasted longer than any other United States armed conflict, except for the Vietnam War.

Chief Osceola's first appearance to the world was at Fort King in October 1834. The defiant young war chief rejected the U.S. orders to leave Florida and threatened war unless the Seminoles were left alone. There was no trust left between the U.S. Army and the Seminoles. Then came the fateful day of December 28, 1835. That morning 40 miles to the south along the Fort King Road, the Seminoles ambushed and annihilated two companies of U.S. Army regulars in route to Fort King. That afternoon, Osceola shot and killed the Indian Agent Wiley Thompson outside the walls of Fort King. The Second Seminole War had begun.

During the 7 year guerrilla war that followed, every major general and every regiment of the U.S. Army was stationed at or passed through Fort King: men who would gain fame in the Mexican and Civil Wars. And here stood the enlisted men: Bemrose, Clarke, and hundreds of others who served in the Florida War.

Following the initial series of engagements, most of which the Seminoles won, U.S. forces withdrew from the interior of Florida abandoning Fort King in May 1836. The Seminoles stood victorious, and, burned the hated Fort King to the ground. But it would be a short lived victory, when the Army returned a year later and rebuilt Fort King.

When it finally ended in 1842, most of the Seminoles had been killed or captured and relocated to Indian Territory in Oklahoma. These native Americans constitute the Seminole Nation of today. An unconquered and defiant few

withdrew to the vastness of the Florida Everglades and survived to the present as the Seminole Tribe of Florida.

In March 1843, Fort King was abandoned by the U.S. Army for the last time and transferred to the people of Marion County. The Fort was used as the County's first courthouse and public building. In 1846, it was dismantled by the citizens of Marion County for its lumber. The great pines had done their job.

Fort King and the surrounding area contain artifacts used in the attack and in the life of the Seminole Indians. Preserving our past for our children and grandchildren is imperative. Fort King is a historical gem that should be accessible to all. This site is significant, not only in Florida's history, but to the history of the Nation. I have been working on advancing Fort King through National Historic Landmark status towards hopeful, eventual National Park Service status, for the past several years, and am looking forward to see this project come to fruition. Representative KELLER and I hope that I can count on the Chairman's support to preserve this unique historic site for future generations.

FORT KING HISTORY

Fort King was originally constructed in 1827 to implement the conditions of the Treaty of Moultrie Creek, which restricted Florida Indians to specified reservation boundaries and prohibited all but authorized persons from entering the reservation. The fort, which was located at the edge of the Seminole Reservation, provided protection and security to the inhabitants of Florida.

On December 28, 1835 a band of Seminoles led by Osceola attacked and killed the Seminole Indian Agent Wiley Thompson and several others at Fort King. Simultaneously, a force of Seminole and Black Seminoles attacked 100 federal troops making their way to Fort King from Fort Brooke. Only one soldier survived the attack. Most scholars consider these two events as the beginning of the Second Seminole War.

Fort King played an important military role throughout the Second Seminole War by serving as a council site for negotiations between Seminole and the U.S. Government and as headquarters for the U.S. Army of the South.

CHRONOLOGY OF ENDEAVORS TO SAVE THE FORT KING SITE

The Ocala Chapter of the Daughters of the American Revolution purchased one acre of land that was thought to have the Fort King cemetery located on it in the 1930s.

Hurricane Gladys blew over a pine tree in 1968, exposing a cellar from a building associated with Fort King.

1988—1991: Ocala received matching grants from the Florida Department of State, Division of Historical Resources, for archaeological auger surveys to find the location of Fort King. The grants totaled \$56,000. Ground penetrating radar was used and foundations from structures were recorded on the high ground.

In August 1991, the Marion County Board of County Commissioners voted to proceed with the attempt to purchase the Fort King site, using funds from the "Pennies for Parks" program.

The Marion County Commission with the help of the McCall family, City of Ocala, Bureau of Historic Preservation and Trust for Public Lands pursued the acquisition of the site from 1988 to 2001.

In 2001 the County, City, and State purchased the entire Fort King site with the City agreeing to maintain and protect the site.

On June 12, 2003 the National Park System Advisory Board unanimously recommended Fort King for National Landmark status.

On February 24, 2004 Fort King was designated as a National Landmark.

WHY A NATIONAL PARK?

Since the early 1900s local citizens recognized the historical value of this site not only to our community but to the nation.

On a national level, Fort King played a key role in the Second Seminole War and is strongly associated with the broader national themes of Indian Removal and Jacksonian Democracy, Manifest Destiny and Westward Expansion. The fort also had strong ties to persons, such as the famous Seminole Indian leader Osceola and General Wiley Thompson, who are significant in the history of our country. Most of the West Point graduates during this time period served at Fort King.

Compared to other Second Seminole War sites, Fort King contains the greatest wealth of intact subsurface features and artifacts presently documented. Archaeologists have also found that the site contains several pre-contact American Indian components, which with further research could answer important questions as to the transition between the Archaic (circa 2300–500BC) and Cades Pond (circa AD100–600) periods. Archaeological studies have already identified structural and artifactual features that relate to the early post-military use of Fort King. This site has the potential to provide important information about the establishment, early settlement and expansion of the Florida peninsula.

The City of Ocala and Marion County were politically and geographically established because of Fort King. This nationally significant historical resource fundamentally defines our sense of place, who we are as citizens and our role in our Nation's history.

SIGNIFICANCE OF A NATIONAL PARK

The designation of Fort King as a National Park will provide citizens the opportunity to experience the interpretive and educational benefits that the site has to offer. It will also create a new recreational opportunity, which is currently unavailable within the region. A National Park will attract visitors not only to this region but to the State of Florida.

Most importantly, the citizens of Ocala/ Marion County are very proud of their heritage and have gone to great lengths to continually try to preserve it for future generations. The City of Ocala, Marion County, the Historic Ocala Preservation Society, the Marion County Black Archives, the Marion County Historical Commission, the Marion County Museum of History, the Seminole War Foundation and many individuals have worked tirelessly to save buildings, sites and historic information as well as to create local preservation laws. These preservation efforts would not have been possible were it not for the continuous help and support from the State of Florida.

Mr. RENZI. Mr. Chairman, I rise to strike the last word for the purpose of engaging the chairman in a colloquy.

Mr. Chairman, I want to begin by thanking the chairman for his hard work on the National Fire Plan and also for the ranking member. The \$2.7 billion in funding under the National Fire Plan increases the amount over last year by \$80 million. It is essential in preventing forest fires throughout our Nation.

This map here shows the largest southern Ponderosa pine forest in America. I know the gentleman is very, very familiar with it. We have the large-

est stand of heavy fuel loads left in the forest, which are providing large-scale size forest fires throughout Arizona.

The last fire we had in our State broke the State record from the previous fire, which was over 560,000 acres. Communities like Flagstaff and Payson and Prescott, are entrenched with a fuel load around them that is making it a threat to live in this community and causing the insurance rates to skyrocket.

□ 1430

Severe drought, bark beetle infestation, and poor forest management have all led to this kind of a condition.

I would ask, please, and would thank both gentlemen that the report language include some of the boundary projects that need to go in place for people who do live in the forest, who make their livings there, who raise their families there, to be able to survive through the next forest fire season. Our forest fire season begins in February, the earliest in the country, and goes all the way to the end of autumn. And I would like to thank both gentlemen for their work on this effort.

Mr. TAYLOR of North Carolina. If the gentleman will yield, I realize the threat of the forest fires in Arizona, and I appreciate the hard work this gentleman has done on this issue. I will be happy to work with you to encourage the Forest Service to work on the fire breaks and the hazardous fuel projects in the vicinity of the Payson and other areas such as the gentleman represents in these important needs.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. RENZI. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to associate myself with the chairman's remarks and the gentleman's remarks. These are very serious issues. I would just say one thing: also in this bill is a sense of Congress on global warming, on the warming of our climate; and one of the things that the scientists talk about is more severe droughts. And this warming will exacerbate this problem if we don't do something about it.

So I just would say to the gentleman, because I know he is extremely sincere in his efforts to deal with protecting and allowing the clearing out of this understorage, you have got to also think about the severity of these droughts which is being made worse by the warming of the climate. So they are interrelated.

Mr. RENZI. Reclaiming my time. I appreciate the gentleman's comments. We in Arizona understand warming, the sunshine State; and our initiatives are more towards the area of trying to thin the forest. We are so far behind in getting those fuel loads out, and I know the gentleman recognizes that. And I do appreciate the chairman talking about the town of Payson, Arizona, which we almost lost last year, an entire community where the fire was burning so hot and so fast it actually

blew embers a mile and a half in the air as they were landing in and near that community. So I thank you very much for your comments. Mr. Chairman, I thank you for your hard work on the National fire plan.

Mr. POMBO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage Chairman TAYLOR in a colloquy regarding the State Water Research Institute's program.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would be happy to discuss the matter with the distinguished chairman of the Resources Committee.

Mr. POMBO. Mr. Chairman, as chairman of the Resources Committee, I have fought to add more domestic water supplies to blunt the effects of drought, population growth, and environmental mandates. We have made significant progress in this effort, but more change can be made to existing programs to help create more water supplies. One needed reform is to the State Water Research Institute's program which is funded through the USGS in this bill. This program needs to be reauthorized and changed to reflect current-day water supplies. In fact, the Resources Committee held a hearing just last week on Mr. DOOLITTLE's bill to reauthorize the program by adding water supply creation as a focus and to create better transparency and results-oriented research.

I have concerns with the appropriation in this bill to a program in desperate need of change, but I want to work cooperatively with the distinguished gentleman from North Carolina to resolve this concern. Absent such authorization, it will be difficult for Congress to continue its support for this program in the future.

Mr. TAYLOR of North Carolina. I want to ensure my colleague from California that our water research program should be targeted and focused to solving real water supply problems. I am aware that the Resources Committee is advancing Mr. DOOLITTLE's bill and that reauthorization is needed. I look forward to working with my colleague on this important issue and thank him for bringing that to our attention.

Mr. POMBO. I thank the gentleman very much.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for the purchase and replacement of passenger motor vehicles; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly ap-

pointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, \$157,496,000, of which \$79,158,000 shall be available for royalty management activities; and an amount not to exceed \$128,730,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service (MMS) over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided*, That to the extent \$128,730,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach \$128,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That \$3,000,000 for computer acquisitions shall remain available until September 30, 2008: *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of MMS concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That for the costs of administration of the Coastal Impact Assistance Program authorized by section 31 of the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1456a), MMS in fiscal years 2007 through 2010 may retain three percent of the amounts which are disbursed under section 31 (b)(1), such retained amounts to remain available until expended.

AMENDMENT NO. 11 OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mrs. MALONEY:

Under "Minerals Management Service royalty and offshore minerals management", after the first dollar amount insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

Mrs. MALONEY. Mr. Chairman, the Maloney-Miller amendment would direct \$1 million of the overall appropriation for the Minerals Management Service to States and tribes for auditing purposes. I understand that the majority will accept this amendment, and I want to thank Chairman TAYLOR and Ranking Member DICKS and their staff for their assistance and support.

I also want to thank Representative GEORGE MILLER for working with me to provide this critical funding to the States and tribes to perform these audits. According to data collected from MMS in previous years, the States and tribes collect \$5 for every dollar spent on audits. I believe this amendment is an important step in ensuring that the companies responsible for remitting royalties from minerals produced from Federal and Indian leases do so in compliance with applicable lease terms, regulations, and policies governing the valuation of the produced minerals. At a time of increased values for gas and oil, States and tribes should be given more resources to ensure that royalty payments are paid in full.

Mr. Chairman, I yield to the chairman of the committee, and hopefully he will support this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I am willing to accept this amendment and work with the gentleman and the Interior Department to increase State and tribal auditing funds. Thank you very much for bringing it to our attention.

Mrs. MALONEY. I thank the chairman and Ranking Member DICKS.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mrs. MALONEY).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$6,903,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; \$112,109,000: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2007 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of

Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, \$185,936,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to \$10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided*, That grants to minimum program States will be \$1,500,000 per State in fiscal year 2007: *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts allocated under section 402(g)(2) of such Act as of September 30, 2006, but not appropriated as of that date, are reallocated to the allocation established in section 402(g)(3) of the Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title for computer hardware, software and other technical equipment to State and Tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, \$1,973,403,000, to remain available until September 30, 2008 except as otherwise provided herein, of which not to exceed \$74,179,000 shall be for welfare assistance payments and, notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed \$151,628,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2007, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, or compacts, or annual

funding agreements and for unmet welfare assistance costs; and of which not to exceed \$457,352,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2007, and shall remain available until September 30, 2008; and of which not to exceed \$66,277,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed the welfare assistance payments cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed \$44,060,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2006 for the operation of Bureau-funded schools, and up to \$500,000 within and only from such amounts made available for school operations shall be available for the transitional costs of initial administrative cost grants to tribes and tribal organizations that enter into grants for the operation on or after July 1, 2006, of Bureau-operated schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2008, may be transferred during fiscal year 2009 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2009.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, \$215,799,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2007, in implementing new construction or facilities improvement and repair project grants in excess of \$100,000 that are provided to tribally controlled grant schools under Public Law 100-297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether such grantee would be deficient in assuring that the

construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of replacement school construction projects, the Secretary may assume control of a project and all funds related to the project, if, within eighteen months of the date of enactment of this Act, any tribe or tribal organization receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction of the replacement school: *Provided further*, That this Appropriation may be reimbursed from the Office of the Special Trustee for American Indians Appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS (INCLUDING TRANSFER OF FUNDS)

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$39,213,000, to remain available until expended, for implementation of Indian land and water claim settlements pursuant to Public Laws 99-264, 100-580, 101-618, 107-331, and 108-477, and for implementation of other land and water rights settlements, of which \$316,000 shall be available for payment to the Quinault Indian Nation pursuant to the terms of the North Boundary Settlement Agreement dated July 14, 2000, providing for the acquisition of perpetual conservation easements from the Nation and of which \$5,067,000 shall be for the Idaho Salmon and Clearwater River Basins Habitat Account pursuant to the Snake River Water Rights Act of 2004 and of which \$200,000 shall be transferred to the "Bureau of Land Management, Management of Lands and Resources" account for mitigation of land transfers associated with the Snake River Water Rights Act of 2004.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, \$6,262,000, of which \$626,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$87,376,744.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase and replacement of passenger motor vehicles.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and executive direction and administrative services (except executive direction and administrative services funding for Tribal Priority Allocations and regional offices) shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Mr. THOMPSON of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the chairman in a colloquy regarding the Klamath River Basin recovery in northern California.

Mr. Chairman, as you know, salmon fishing off the coast of California and Oregon has been shut down this year due to poor returns of Chinook salmon to the Klamath River. In 2001, farmers in the Klamath Basin were similarly shut down due to the resource problems in this watershed.

I know the chairman would agree with me that these two occurrences demonstrate the urgent need to combine peer-reviewed science with local stakeholder cooperation in order to help fish in the Klamath Basin recover so that fishing and farming in the area can continue. Mr. Chairman, you have helped with this effort in the past, and I thank you for your attention to this important issue.

Mr. TAYLOR of North Carolina. Mr. Chairman, I agree with the gentleman that accurate science, local input, and the establishment of a clear plan is the best approach to solve the problems in the Klamath Basin, and the committee has tried to be helpful in this regard.

Mr. THOMPSON of California. As you know, Mr. Chairman, one important aspect of addressing Klamath issues is the development of a salmon recovery plan. And no plan will be successful without broad support and voluntary cooperation by local stakeholders. Fortunately, there has been progress in the Klamath Basin to develop voluntary recovery plans and projects for the threatened Coho salmon. This has been done collectively with farmers, tribes, fishers, and scientists. Would the chairman support me in requesting that the U.S. Fish and Wildlife Service and NOAA fisheries use their existing authorities and the conservation funds identified in this bill for the Klamath Basin to implement the salmon recovery

projects that have been developed by this local stakeholder group?

Mr. TAYLOR of North Carolina. I agree with the gentleman that plans that identify locally supported and on-the-ground recovery projects are an important part of helping to solve the problems. I would be pleased to support the gentleman by directing the Fish and Wildlife Service work with NOAA fisheries and the local stakeholders. Further, the Committee would be glad to facilitate a meeting as soon as possible with the Fish and Wildlife Service on this important issue. I thank the gentleman for bringing this to our attention.

Mr. THOMPSON of California. I thank the chairman for his cooperation.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding 25 U.S.C. 2007(d), and implementing regulations, the funds reserved from the Indian Student Equalization Program to meet emergencies and unforeseen contingencies affecting education programs appropriated herein and in Public Law 109-54 may be used for costs associated with significant student enrollment increases at Bureau-funded schools during the relevant school year.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106-113, if a tribe or tribal organization in fiscal year 2003 or 2004 received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101-301, the Secretary shall continue to distribute indirect and administrative cost funds to such tribe or tribal organization using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$77,561,000, of

which: (1) \$69,537,000 shall remain available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$8,024,000 shall remain available until September 30, 2008, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: *Provided further*, That of the amounts provided for technical assistance, sufficient funds shall be made available for a grant to the Pacific Basin Development Council: *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, \$5,362,000, to remain available until expended, as provided for in sections 221(a)(2), 221(b), and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99-658 and Public Law 108-188.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$118,303,000; of which \$7,915,000 for appraisal services and Take Pride in America activities is to be derived from the Land and Water Conservation Fund and shall remain available until expended; of which not to exceed \$8,500 may be for official reception and representation expenses; and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines: *Provided*, That none of the funds in this Act

or previous appropriations Acts may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the House and Senate Committees on Appropriations.

AMENDMENT NO. 10 OFFERED BY MR. CANNON

Mr. CANNON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. CANNON: Page 46, line 8, after the dollar amount insert "(reduced by \$18,000,000)".

Page 47, line 1, after the first dollar amount insert "(increased by \$16,000,000)".

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The gentleman from Utah is recognized for 10 minutes.

Mr. CANNON. I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this amendment that I offer on behalf of myself, Mr. MARK UDALL, Mr. ROB BISHOP, Mr. RAHALL, Mr. GIBBONS, and Mr. SALAZAR to redirect \$16 million from Departmental salaries and expenses to the Payment in Lieu of Taxes program.

I am pleased to be working with this bipartisan group and thank the gentlemen for their support. All of us have something in common: we represent some of the 1,900 counties that host public lands that rely on the Payment in Lieu of Taxes program to mitigate the impact of the lost tax revenues resulting from Federal land ownership.

The Federal Government owns nearly 650 million acres of land, most of it in the West. The map I have here has all land owned or held in trust by the Federal Government in red. As you look at this map, you can see that we have a problem: the Federal Government owns the bulk of the West. That means that we do not tax those lands, and that means that in the western United States we pay less per child for education but we tax our people more per family because we are supporting the Federal Government.

As the chairman of the Congressional Western Caucus, I know well that my fellow colleagues in the West struggle with these issues. It is only fair that we pay a reasonable amount in lieu of taxes to cover this shortfall. The Payment in Lieu of Taxes program was created in 1976 to provide payments to counties to make up for the property taxes they are prevented from collecting on Federal lands located within their boundaries. This year, the administration's budget proposed to cut PILT by \$34 million, a paltry 56 percent of the authorized level.

Under Chairman TAYLOR's leadership, and I might say also Ranking Member DICKS', we have been able to achieve historic levels of PILT funding. We thank them both for that and for their efforts this year that have nearly restored last year's PILT funding levels.

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While the number currently in the bill is significantly above the administration's recommendation, it is well under last year's level and far from what it should be, and our counties are bearing the brunt of it.

While the Department's administrative budget has nearly doubled since 2001, PILT funding levels have not kept pace, and this is not acceptable.

It is imperative that we keep fighting for funding so our rural counties will not have to continue to foot the bill for lands owned by the Federal Government.

I urge my colleagues to support the amendment to bring PILT funding levels to the nearly 70 percent of authorization and support the counties that host our public lands.

This amendment will add a modest sum to the PILT program, a sum that is important to the American people who live in and around these Federal lands and those who travel to them and enjoy them from around country.

Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I rise in support of this important amendment. The amendment would increase funding for the so-called PILT program, the Payment in Lieu of Taxes, by \$16 million. It would bring the total in the bill to about 81 percent of the authorized amount. In my opinion, that is still not enough, but it is an important down payment and a definite improvement for all of our rural counties.

As you can see here on the map, those of us in the West, in particular, are affected by payment in lieu of taxes payments because we have the great majority of public lands in the West. Uncle Sam is everybody's neighbor in the West, and we look to our neighbors for help. PILT is one of the best ways that Uncle Sam can help Colorado and other States. So this is an important amendment and one that deserves to be adopted by the House.

If I could, I would like to use the rest of my time to talk about how we can do more.

We should act to make it unnecessary to continue debating PILT as a part of the appropriations process every year, and this is why I have introduced along with my colleague the gentleman from Colorado (Mr. SALAZAR) H.R. 788, which would provide permanent and automatic funding at the full authorization level and outside the appropriations process for PILT.

Under our bill, PILT would no longer be held hostage every year to the appropriations and budget processes so local counties could count on receiving full and timely payments based on the formulas set by law.

This legislation is similar to a bill proposed by our former colleague Congressman McInnis before he retired from the Congress, and like his bill, our legislation has bipartisan support.

In addition, my neighbor, the gentlewoman from Wyoming (Mrs. CUBIN), has introduced a bill that would phase in PILT funding over a 3-year period, and this, too, would be an improvement over the current situation.

So I know, along with all of my Western colleagues, Republican and Democrat alike, I stand here hoping that the Resources Committee will take up our legislation soon, but in the meantime we should do the next best thing and adopt this important bipartisan amendment.

I want to thank the gentleman for yielding.

Mr. CANNON. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. SALAZAR).

(Mr. SALAZAR asked and was given permission to revise and extend his remarks.)

Mr. SALAZAR. Mr. Chairman, I rise today to express my support for the amendment that would add \$16 million of PILT funding for the program.

This bill is a great disappointment to me. Being from Colorado, in my district, where 74 percent of all of our lands is public lands, the State has vast public lands and public resources, and the funding this bill provides is vital for my State, but the funding fails us at many levels.

One of the many problems with this bill is the cuts to the Clean Water State Revolving Fund and the State Tribal Assistance Grants, and probably the most frustrating part of this bill is the lack of adequate funds for payment in lieu of taxes. As my colleague Mr. UDALL said, we have introduced legislation that would actually make it an automatic funding.

In fact, my district has 29 counties and over 60 percent of that in Federal ownership. This is lost revenues to these counties, and all 29 counties receive PILT payments.

Through legislation passed, the PILT funding program is authorized for \$350 million in funding for fiscal year 2007. Yet, year after year, this funding program does not receive the adequate, authorized funding needed.

This year, the Appropriations Committee chose to only fund \$228 million. This is \$122 million short. My colleagues and I offer this amendment to help provide needed funding. This is vital to Western States. It is vital to rural America, and I would like to thank Mr. CANNON, Mr. UDALL of Colorado, Mr. BISHOP of Utah, Mr. RAHALL and Mr. GIBBONS for their hard work on this issue.

I urge my colleagues to support the passage of this amendment.

Mr. CANNON. Mr. Chairman, I want to thank the gentleman from Colorado for his comments, and I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Chairman, I want to thank the gentleman from Utah for yielding me the time, and Mr. Chairman, I am grateful to stand here in support of this bipartisan amendment, grateful not just as a Member of Congress from Nevada, but as member of the Western Caucus as well.

Mr. Chairman, as you can see, in Nevada, the Federal Government owns more than 60 million acres of land, which equates to nearly 87 percent of the State. More often than not, for those of us in the West, the Federal Government is not just our neighbor, it is the neighborhood. With such a large Federal presence comes significant challenges, especially in our rural communities.

The PILT program helps compensate for the inability of our rural communities to generate sufficient property tax revenues needed for schools and local infrastructure because of the overwhelming Federal land ownership, and since Nevada cannot generate revenue from nearly 87 percent of the State, PILT funding is vital. Yet the program has never been adequately funded.

In my congressional district alone, Nevada has lost more than \$68 million over the last 10 years because PILT has not been fully funded.

I want to thank the chairman, Mr. TAYLOR, for his efforts to increase PILT this year. The \$198 million requested by the administration was very disappointing and would only serve to exacerbate the current funding discrepancy and increase the burden on our rural communities.

Chairman Taylor added \$30 million to the PILT this year above the administration's request, and for that we are grateful but we cannot stop there.

This amendment will allow all communities, and especially our rural communities, to continue to provide not only for their residents but for essential services for visitors to our public lands such as law enforcement, emergency health care, and search and rescue.

It bears mentioning again that Nevada cannot raise revenue from more than 87 percent of our State, and many counties across the country face similar loss of tax based revenue.

I strongly encourage all of my colleagues to support this bipartisan amendment that will help the Federal Government fulfill its commitment and obligations to communities and ease the burden of heavy Federal land ownership in our rural communities.

Mr. CANNON. Mr. Chairman, I yield the remaining 1 minute to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, the other maps were in green and red. Mine is in blue, and my chart is to show in the blue the total amount of

each State's land that is now combined and controlled by the Federal Government.

You can see an obvious change in States here that in the West who, when they were admitted to the States, were admitted with certain conditions for the yielding of that State land. It was unilaterally changed by the Federal Government in the 1950s, and in the 1970s when the PILT program came into effect, it was somehow to try and offset the impact of those particular changes.

The Department of the Interior said 2 years ago when they took over the funding of the PILT issue they would ensure appropriate emphasis. It has not happened to this date.

This amendment would actually do that by putting PILT up to what was appropriated last year and to where the Senate purports to be at the end of this year's session.

Let me just say that in the short time I have to finish, the Washington Post has endorsed this amendment. You may not have known that because they do not know it either, but last year, they wrote the Federal Government is the largest landowner in Washington, DC, and since this land cannot be taxed, the Federal Government is the principal contributor to the district's chronic fiscal imbalance.

That is our point for those of us in the West exactly. This is the problem that we have, and PILT is the one that tries to change that economic impact to mitigate the losses that we indeed have. The Department of the Interior has a commitment to make sure PILT was fully funded. All we are trying to do with this amendment is to help the Department of the Interior to maintain their commitments.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Mr. DICKS and I in our original markup, which was a \$34 million cut, reinstated \$18 million in that first appropriation. Later, we added another \$12 million in for that and brought it within \$4 million of last year's effort.

Now, when the gentleman takes \$18 million out of the funding for the Department, we do considerable damage, and the Department oversees one in every five acres of national land, including vital tributaries and recreation areas, and produces over \$14 billion in royalty revenue for the U.S. Treasury, and it must have the funds in the operations account.

Frankly, if we were doing more harvest in our national forests we would not need this much PILT because that was really where it was to come from when the forests and other public lands were started, but we will try to do what we can.

I will yield to the gentleman's amendment, and we will accept his amendment, knowing that in conference we may not be able to hold this third increase.

Mr. RAHALL. Mr. Chairman, I rise in strong support of the amendment to increase funding for PILT.

I am proud to join my colleagues from Western States to make the point that PILT is a vital part of communities across this great land. PILT funds help make communities safer, cleaner and healthier in 49 of our 50 States—from Maine, to West Virginia, to California. In seeking adequate PILT funding, we are truly all in this together.

Now some may say that, in the grand scheme of our Federal budget, PILT payments to counties are just not that important. Well I can tell you that the PILT funding received by Greenbrier County or Pocahontas County in West Virginia is crucial to their ability to provide the quality and quantity of local services the families of West Virginia deserve.

I am also here to support more funding for PILT because I support public land ownership and acquisition, where it is appropriate. As the ranking member on the House Resources Committee, I have the privilege of working with the other committee members to oversee our national parks, forests and refuges. These lands are part of our national identity and they are a birthright we will pass on to future generations of Americans.

But along with responsibility for these public lands comes a responsibility to the surrounding local communities. PILT payments compensate these local communities for lost revenue due to public land ownership. Making good on those payments is part of being a good steward but it is also part of being a good neighbor, and that is something we take very seriously in West Virginia.

The budget priorities chosen by this administration and this Congress force many very painful decisions. However, funding for a program as broad and important to local governments as PILT must be funded adequately. I urge adoption of this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. CANNON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

Page 46, line 8, after the dollar amount insert "(reduced by \$1,800,000)".

Page 64, line 11, after the dollar amount insert "(increased by \$1,800,000)".

Mr. SANDERS. Mr. Chairman, first, I want to thank the majority and the minority because my understanding is they have accepted this amendment, and I appreciate that very much.

The legislative intent of this amendment is to increase the funding for the Environmental Protection Agency's EnergyStar Program in K-12 school systems by \$1.8 million offset by a reduction in administrative expenses for the Department of the Interior.

Mr. Chairman, our Nation's 17,450 school districts are facing serious problems. Their budgets are threadbare, and most can barely pay their teachers a living wage. To make matters worse, America's school buildings are aging. The average age is over 42 years, and

the vast majority could greatly benefit from energy saving improvements.

According to the EPA, energy costs represent a typical school district's second largest operating expense after salaries, more than the cost of computers and textbooks combined. Amazingly, in a typical school, one-third of the energy used goes to waste, largely due to old and poorly functioning equipment, poor insulation, and outdated technology.

Unfortunately, school administrators are often hard pressed to allocate any of their limited funds toward improving the energy efficiency of their buildings and systems, even when it is clear that such improvements would save them substantial sums of money that could help pay for their other needs.

Fortunately, the EPA has an energy conservation program that can help these schools do just that: to implement energy-saving strategies that save money, help children learn about energy, and create improved teaching and learning environments.

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The EPA's EnergyStar Program, in its partnership with America's K through 12 school districts, is committed to building a new national infrastructure of schools that are smart about every aspect of energy.

In addition to helping school districts save up to 30 percent on their energy bills each year, energy efficiency prevents greenhouse gas emissions and improves the students' learning environment. Schools that are well lit, well ventilated, and in good repair create a healthy, comfortable learning and teaching environment. A better physical environment is among the many factors that have been demonstrated to contribute to increased learning and productivity in the classroom, which in turn affects performance and achievement.

Right now, more than 200 school districts across the country are partnering with EnergyStar. But for a Nation whose schools spend \$5 billion annually on energy, there is obviously a lot of work to do. Of the 11,000 school buildings that have been rated, only 16 percent of the Nation's total school building inventory, only 530 schools have earned an EnergyStar rating by achieving a score of 75 or higher, a score that means that they use about 40 percent less energy than average buildings.

Fortunately, the EPA is now working with partners such as the National School Boards Association, the National Parent-Teacher Association, and the Sustainable Buildings Industry Council to collaboratively improve the energy efficiency and the indoor environments of many more of our Nation's K through 12 schools. These efforts are helping school districts to save big on utility bills and maintenance costs, in turn freeing up funds to pay for books, computers and teachers, and to improve indoor air quality and comfort. These efforts deserve our support.

In short, Mr. Chairman, the EnergyStar Program helps our Nation's schools to implement energy saving strategies that save money, help children learn about energy and create improved teaching and learning environments. This amendment would add \$1,800,000 to this important work in our Nation's K through 12 school systems.

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word.

This amendment would provide an increase of \$1.8 million, and while I do not approve of the proposed offset, I am prepared to accept the amendment and we will do that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-6907), \$228,000,000, of which not to exceed \$400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), \$9,923,000, to remain available until expended.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$56,755,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$39,688,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$150,036,000, to remain available until expended, of which not to exceed \$45,000,000 from this or any other Act, shall be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Departmental Management, "Salaries and Expenses" account: *Provided further*, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2007, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation

pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$15.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed \$50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with re-determining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, \$34,006,000, to remain available until expended, and which may be transferred to the Bureau of Indian Affairs and Departmental Management accounts: *Provided*, That funds provided under this heading may be expended pursuant to the authorities contained in the provisos under the heading, "Office of Special Trustee for American Indians, Indian Land Consolidation" of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106-291).

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380) (33 U.S.C. 2701 et seq.), and Public Law 101-337, as amended (16 U.S.C. 1911 et seq.), \$6,109,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further*, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund: *Provided further*, That the annual budget justification for Departmental Management shall describe estimated Working Capital Fund charges to bureaus and offices, including the methodology on which charges are based: *Provided further*, That departures from the Working Capital Fund estimates contained in the Departmental Management budget justification shall be presented to the Committees on Appropriations

for approval: *Provided further*, That the Secretary shall provide a semi-annual report to the Committees on Appropriations on reimbursable support agreements between the Office of the Secretary and the National Business Center and the bureaus and offices of the Department, including the amounts billed pursuant to such agreements.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone

service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 104. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

AMENDMENT OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONAWAY:

Page 54, beginning at line 15, strike section 104.

Mr. CONAWAY. Mr. Chairman, I rise today to talk about an issue that is in every paper and on every television program almost, on every news channel, and that is the supply of oil and gas that this country not only uses but in particular produces.

For 25 years now, we have used this appropriations bill to unnecessarily restrict access by those who would explore for oil and gas to lands and properties and, in this instance, the Outer Continental Shelf, where it is clear that significant supplies of oil and natural gas exist. The additional production that would be gained from these areas is self-evident as to the values of it, not only the balance of payment, because every MCF of gas that we produce from these lands would offset gas that is imported, and any number of jobs are created when we are drilling for oil and gas on our own properties and our own lands.

The industry's safety record over the last 25 years has continued to improve. The risks to the beaches in this area off the gulf coast of Mexico is de minimis. The safety record is exemplary not only in the drilling phase but also in the production phase.

With respect to the production phase, you cannot paint a worse scenario to go through the Gulf of Mexico and destroy those production platforms than Hurricane Katrina in August. As a result of the sub-sea engineering that is in place to protect against oil and gas spills, when Hurricane Katrina came through and destroyed many of the production facilities, there was no release of crude oil and natural gas into the environment.

The estimates for the amounts of oil and gas in this region range from trillions of cubic feet of natural gas and billions of barrels of oil, all of which would go to reduce America's dependence on imported crude oil and natural gas. So my amendment would simply strike these provisions that have unnecessarily restricted access to these waters.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to oppose the amend-

ment, and I would ask the gentleman to withdraw the amendment.

I would say to the gentleman that I am concerned about high energy prices, and I would agree with him that it would be better to increase the production of oil and gas from our Federal waters, but this year I think the oil moratorium should be addressed with comprehensive authorizing legislation which would guide the appropriate leasing.

So I would say to him that we would commit to working with him on this issue and ask that he withdraw his amendment.

Mr. Chairman, I yield to the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, I appreciate that. It was my intent to withdraw this amendment but after a discussion with my colleague from Florida. If I could have that discussion, sir.

Mr. PUTNAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage my good friend from Texas. This is an issue that the State of Florida and other coastal areas have been dealing with for the past 25 years in terms of the appropriateness of the moratorium. This particular issue is one that has obviously reached critical mass, with the shortages of natural gas that we are facing and the high price of gas that consumers are dealing with.

However, this is an important balancing act that this Congress must consider very carefully. Whatever we do as it relates to offshore drilling ought to be done in a comprehensive manner, it ought to have the input of the States, and it ought to recognize the sensitive areas.

My friend from Texas makes a very important point about the economic necessity and, frankly, the improvements in technology that allow for safer production and safer exploration capabilities. But it is my belief, and the belief of certainly the Florida delegation, that we must deal with this separate and apart from the spending bill.

We must also deal with it in a way that does not expose an area as close to the beaches as 3 miles to the prospect of oil and gas rigs, and one which allows a range of input from throughout the membership so that we can move forward with the goal of dealing with our national energy crisis, do it in a safe and comprehensive way, and do it in a way that respects the rights of States to opt in or opt out, as appropriate, dealing with their own individual environmental sensitivities.

We recognize our obligation as Floridians as major energy consumers, that we have an obligation to review our previous positions. We recognize the improvements in technology. But, frankly, 3 miles off of our coast is an unacceptable limit, and we believe that this issue is best served as a stand-alone comprehensive bill.

Mr. CONAWAY. Mr. Chairman, in the spirit of cooperation with my colleague

from Florida and the chairman, and in the interest of working on a comprehensive solution that addresses the supply issues that face our Nation, as well as the States' rights issues that are very legitimate concerns as to where the drilling begins off a particular State's coast, and the opportunity to allow each State to make that decision for their own, as Texas has done for many, many years, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the gentleman's amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 105. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 106. No funds provided in this title may be expended by the Department of the Interior to conduct oil preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

AMENDMENTS OFFERED BY MR. POE

Mr. POE. Mr. Chairman, I offer three amendments, and I ask unanimous consent they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. TAYLOR of North Carolina. Mr. Chairman, reserving the right to object, and I will not object, with the understanding with the gentleman that he will agree with a unanimous consent request that I will make to limit debate on the amendment to 10 minutes, with 5 minutes divided on each side. Does the gentleman share that understanding?

Mr. POE. That is correct, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. POE:

Page 54, beginning at line 15, strike section 104.

Page 54, beginning at line 24, strike section 105.

Page 55, beginning at line 6, strike section 106.

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that the debate on this amendment and any amendments thereto be limited to 10 minutes to be equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN. Without objection, they may be considered under that limitation.

There was no objection.

Mr. POE. Mr. Chairman, the United States has to be more self-sufficient when it comes to energy. We import 60

percent of our crude oil from foreign countries. In doing so, we are subject to the illegal price-fixing cartel known as OPEC. The Gulf of Mexico is responsible for one-third of the domestic oil production and 20 percent of the domestic natural gas production. My amendment will end the congressional moratoria on energy exploration along the Outer Continental Shelf.

Right now, Mr. Chairman, the areas shaded in blue are where we drill offshore. We drill offshore of the coast of Texas, Louisiana, and part of Mississippi and Alabama. All of the red on the West Coast, East Coast, and the other parts of the Gulf of Mexico are prohibited by law. Since the 1980s, Congress has been placing appropriations moratoriums on drilling in all these red areas that are outlined on the map, which is about 90 percent of the Outer Continental Shelf that is off limits to energy development.

All of these areas in these coastal States certainly want cheap gasoline and they want natural gas, but they do not want to drill in their neighborhoods. They would rather that Texas and Louisiana keep drilling in our neighborhoods. We can't have it both ways, cheap gasoline and refuse to drill offshore. It seems to me to be somewhat hypocritical, because this does not make sense.

In the Outer Continental Shelf there are about 300 trillion cubic feet of natural gas and more than 50 billion barrels of oil yet to be discovered. That is enough natural gas or oil to replace current imports from the Persian Gulf for 60 years and produce gasoline for 116 million cars for 15 years. And these are conservative estimates, since these are largely unexplored. There is going to be drilling off this area because Cuba and China are already making plans to drill 47½ miles off Florida in those rich gulf reserves. It seems to me that we should take advantage of those reserves.

While people talk about the pollution that comes from drilling, many of the problems have been overstated. According to the 2002 National Academy of Sciences report, the largest cause of pollution is from nature. Shown by this chart, 60 percent of the pollution to our shores is by nature itself. So the best way we prevent the number one cause of pollution to our shores is to eliminate this and drill for it.

Boating. All those boats off the shores of our coasts are producing 32 percent of the oil seepage. Tankers from the Middle East are 3 percent. And offshore drilling only accounts for 2 percent of the pollution to our shores.

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It obviously makes sense to drill offshore, Mr. Chairman, because nature is the primary cause of the pollution to our beaches.

When Katrina and Rita hit the gulf coast this last year, over 100 platforms were damaged. But seepage from the Gulf of Mexico almost did not exist be-

cause the valves and the pumps for these offshore rigs were shut off immediately. So it seemed that opening up these areas would be an obvious choice.

We are the only major industrial power in the world that has this silly rule about not drilling offshore. They drill in the North Sea and around the world, and they do so safely. It is important that we use some common sense.

Americans worry about skyrocketing energy prices and lack of energy and want solutions. A decision where we drill is going to have to be made and made very soon by Americans. This is a price issue, but it is also a national security issue. Those who say "no" to offshore drilling have no solutions to this problem. We can drill offshore safely, environmentally correct; and when we get over the fear factor and take control of our own energy needs, this country will be better off.

I yield 1 minute to Mr. GREEN from Texas.

Mr. GENE GREEN of Texas. Mr. Chairman, Members, I want to thank my colleague for yielding me a minute. I support his amendment. Obviously, I think that would be the ideal provision we need to do to eliminate that moratorium. The committee, I think, has struck a compromise on natural gas, although Congressman POE and I know the difficulties of just drilling for one substance over the other. But obviously I support the amendment and I think the committee, though, came up with a compromise, and we will fight that battle later.

Mr. POE. Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. I yield 2 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I certainly understand the politics of petroleum. But I represent Florida, and I represent the coast that we consider a valuable resource for tourism, the environment, the ecology.

Let me remind my colleagues the area that they are proposing to drill both oil and natural gas wells has recently been referred to as Hurricane Alley. The gulf coast, we all know now, after Katrina, is responsible for 25 percent of U.S. production of natural gas. Following Katrina and Rita, almost 75 percent of the natural gas production in the gulf was shut down and not producing.

As of May 3, almost 13 percent of natural gas production in the Gulf of Mexico was still offline 9 months later. So it begs the question, why would you put more rigs in a vulnerable place?

Now, I understand some States like drilling, like oil and like offshore rigs. And my question, or my statement, to you is, have at it. But I do want to have the opportunity as a Floridian to defend ourselves from having oil drilling rigs off our coastline.

Several Governors are opposed to the provisions, including Governor Schwarzenegger; my own Governor

Bush who sent a letter to the Speaker just yesterday; Governor Mark Sanford, our former colleague from South Carolina; Democrat Governor Corzine of New Jersey; Mike Easley of North Carolina; and Ted Kulongoski of Oregon. Our delegation remains strongly opposed to drilling for oil and gas in this very, very vulnerable area.

Let me tell you the infrastructure problems suffered by our recent hurricanes. A Congressional Budget Office study estimated that gulf energy infrastructure repair costs will be between \$18 billion and \$31 billion, just from the damages the hurricane created. So let's build some more rigs in this very vulnerable area.

I mentioned the responsibility of natural gas. The gulf has 30 percent of U.S. crude oil production, again another reason we do not want to endanger our coastline. Again, 9 months later, almost 22 percent remain offline.

So I urge defeat of this amendment, removal of the Peterson amendment from this appropriation bill, and let us do something right and not simply succumb to the politics of convenience on energy prices.

Mr. POE. Mr. Chairman, I yield myself such time as I may consume.

I would like to point out to my friend from Florida, we just respectfully disagree. But he has made the argument for why we need to drill somewhere other than the gulf coast. Rita and Katrina basically shut down all the rigs in the gulf coast. Twenty-two percent of the refineries in the United States come from my district. They were shut down for weeks. That is 20 percent of the gasoline for the rest of the United States. We drill in one area. We drill in Hurricane Alley, as Mr. FOLEY has pointed out. We need to drill off even the sacred west coast of California and off the east coast because there is oil and natural gas there. We need to open up the moratoriums that this Congress has put on us. The American people are demanding answers. They want cheaper gasoline, but yet we refuse to take care of ourselves.

I urge adoption of this amendment which will allow or release the restrictions and then we can start drilling where there is oil and natural gas to take care of ourselves. The hurricanes proved we can do it safely and securely without damage to the environment.

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise in opposition to this amendment. In my home State of New Jersey, tourism supports nearly 500,000 jobs and indirectly generates \$16.6 billion in wages and \$5.5 billion in State tax revenues. Much of that enormous economic engine is driven by our coastline which we have worked hard to protect.

All it takes is one incident from an industrial drilling rig sitting in the

ocean to put this entire economic engine at risk. What this amendment would do is open up OCS areas as close as 3 miles from shore to drilling. There is no buffer here, no minimum barrier. If we pass this amendment, we can see drilling rigs as close as 3 miles from our shores. And for what?

This will do nothing for the price of oil. It takes up to 7 years to begin producing from an offshore lease.

And I would also like to know why the oil industry is so keen on getting these areas open for drilling when they have thousands of leases already in place, both onshore and offshore that they haven't bothered to explore.

Mr. Chairman, our coasts are simply too valuable to risk like this. If we had to do a balancing act, there is no way you could support this amendment.

I urge a "no" vote on this amendment. Vote to protect our coasts.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield for the purpose of making a unanimous-consent request to the gentleman from Washington.

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. I just want to rise in opposition to the amendment and in support of the position taken by the chairman and the committee.

Mr. TAYLOR of North Carolina. I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise in strong opposition to the Poe amendment, and I would like to set the record straight. This current ban on new drilling is actually two moratoria, one of which is enacted by Congress annually through a ban on Federal funding to drill for oil in areas now off limits.

In addition, there is a complementary moratorium put into place originally in 1991 through an executive moratorium by George H. W. Bush, extended till 2012 by Bill Clinton, embraced by the current President in his current 2007 budget.

The provision in the Interior bill and in the Poe amendment eliminate the annual congressional moratoria. It doesn't end the Presidential moratorium. However, the President certainly has the authority to revise or revoke his existing Presidential moratorium before 2012.

I am not a betting person, but I would wager that if Congress eliminates the moratorium through this legislation and encourages the President to do the same, he is going to revoke the Presidential moratorium. Why not? Drilling advocates will argue that the people, through Congress, have spoken in favor of new drilling; and when that Presidential moratorium is revoked, it would mean an immediate end to the ban on new drilling in waters off our coastal States.

It is not just coincidental this amendment is coming up just as the next 5-year plan is being enacted. This would happen right away.

Mr. TAYLOR of North Carolina. I yield 1 minute to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, this is not some political issue. This is serious business. You are dealing with some of the most fragile marine ecosystems in the world. This moratorium was put on here for a good reason. And I mentioned earlier during general debate, it has evolved into a workable, effective protection for those ecosystems.

The ecology of some of those Florida waters is just unbelievable. Now, the authorizing committee has been working on this issue for several months trying to come up with a good answer, a good responsible answer. Now, this is being offered without any hearings by the subcommittee, no hearings by full committees, just as a whim to accomplish something that some special interests want to see accomplished. This is not good government. This is a bad amendment, and we need to be very careful about what we do, not only on this amendment today, but on the Peterson amendment that we will deal with later.

The CHAIRMAN. All time for debate pursuant to the unanimous consent request has expired.

The question is on the amendments offered by the gentleman from Texas (Mr. POE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. POE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments offered by the gentleman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 107. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities, except that total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

SEC. 108. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2007. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 109. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation:

(1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

SEC. 110. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 111. Funds provided in this Act for Federal land acquisition by the National Park Service for Shenandoah Valley Battlefields National Historic District and Ice Age National Scenic Trail, and funds provided in division E of Public Law 108-447 (118 Stat. 3050) for land acquisition at the Niobrara National Scenic River, may be used for a grant to a State, a local government, or any other land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 112. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 113. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 114. None of the funds in this or any other Act can be used to compensate the Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Norton litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 115. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Norton to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Norton.

SEC. 116. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from Federally operated or Federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

SEC. 117. (a) IN GENERAL.—Nothing in section 134 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (115 Stat. 443) affects the decision of the United States Court of Appeals for the 10th Circuit in *Sac and Fox Nation v. Norton*, 240 F.3d 1250 (2001).

(b) USE OF CERTAIN INDIAN LAND.—Nothing in this section permits the conduct of gaming under the Indian Gaming Regulatory Act

(25 U.S.C. 2701 et seq.) on land described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (114 Stat. 944), or land that is contiguous to that land, regardless of whether the land or contiguous land has been taken into trust by the Secretary of the Interior.

SEC. 118. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 119. Notwithstanding the limitation in subparagraph (2)(B) of section 18(a) of the Indian Gaming Regulatory Act (25 U.S.C. 2717(a)), in fiscal year 2008, the total amount of all fees imposed by the National Indian Gaming Commission shall not exceed \$13,000,000.

SEC. 120. Notwithstanding any implementation of the Department of the Interior's trust reorganization or reengineering plans, or the implementation of the "To Be" Model, funds appropriated for fiscal year 2007 shall be available to the tribes within the California Tribal Trust Reform Consortium and to the Salt River Pima-Maricopa Indian Community, the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Chippewa Cree Tribe of the Rocky Boys Reservation through the same methodology as funds were distributed in fiscal year 2003. This Demonstration Project shall continue to operate separate and apart from the Department of the Interior's trust reform and reorganization and the Department shall not impose its trust management infrastructure upon or alter the existing trust resource management systems of the above referenced tribes having a self-governance compact and operating in accordance with the Tribal Self-Governance Program set forth in 25 U.S.C. 458aa-458hh. The California Trust Reform Consortium and any other participating tribe agree to carry out their responsibilities under the same written and implemented fiduciary standards as those being carried by the Secretary of the Interior. The Consortium shall demonstrate to the satisfaction of the Secretary that they have the capability to do so. The Department shall provide funds to the tribes in an amount equal to that required by 25 U.S.C. 458cc(g)(3), including funds specifically or functionally related to the provision of trust services to the tribes or their members.

SEC. 121. Notwithstanding any provision of law, including 42 U.S.C. 4321 et seq., non-renewable grazing permits authorized in the Jarbridge Field Office, Bureau of Land Management within the past 9 years, shall be renewed. The Animal Unit Months authorized in any nonrenewable grazing permit between March 1, 1997, and February 28, 2005, shall continue in effect under the renewed permit. Nothing in this section shall be deemed to extend the renewed permit beyond the standard 1-year term.

SEC. 122. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

SEC. 123. Upon the request of the permittee for the Clark Mountain Allotment lands adjacent to the Mojave National Preserve, the Secretary shall also issue a special use permit for that portion of the grazing allotment located within the Preserve. The special use permit shall be issued with the same terms and conditions as the most recently-issued permit for that allotment and the Secretary shall consider the permit to be one transferred in accordance with section 325 of Public Law 108-108.

SEC. 124. Notwithstanding any other provision of law, the National Park Service final winter use rules published in Part VII of the Federal Register for November 10, 2004, 69 Fed. Reg. 65348 et seq., shall be in force and effect for the winter use season of 2006-2007 that commences on or about December 15, 2006.

SEC. 125. None of the funds in this or any other Act may be used to set up Centers of Excellence and Partnership Skills Bank training without prior approval of the House and Senate Committees on Appropriations.

TITLE II—ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$808,044,000, to remain available until September 30, 2008.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project; and not to exceed \$9,000 for official reception and representation expenses, \$2,336,442,000, to remain available until September 30, 2008, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$35,100,000, to remain available until September 30, 2008: *Provided*, That in fiscal year 2007 and thereafter, notwithstanding any other provision of law, the Inspector General

shall not serve as the Inspector General for the Chemical Safety and Hazard Investigation Board.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$39,816,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project; \$1,256,855,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2006, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$1,256,855,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, \$13,316,000 shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 2008, and \$30,011,000 shall be transferred to the "Science and Technology" appropriation to remain available until September 30, 2008.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$72,759,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$16,506,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS (INCLUDING RESCISSION OF FUNDS)

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$3,007,348,000 to remain available until expended, of which \$687,555,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"); of which up to \$50,000,000 shall be available for loans, including interest free loans as authorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-municipal, interstate, or State agencies or nonprofit entities for projects that provide treatment for or that minimize sewage or stormwater discharges using one or more approaches which include, but are not limited to, decentralized or distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers, or wetlands restoration; \$841,500,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drink-

ing Water Act, as amended; \$24,750,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico border, after consultation with the appropriate border commission; \$14,850,000 shall be for grants to the State of Alaska to address drinking water and waste infrastructure needs of rural and Alaska Native Villages: *Provided*, That, of these funds: (1) the State of Alaska shall provide a match of 25 percent; (2) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (3) the State of Alaska shall make awards consistent with the State-wide priority list established in 2004 for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities; \$200,000,000 shall be for making special project grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 45 percent of the cost of the project unless the grantee is approved for a waiver by the Agency; \$89,119,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; \$26,000,000 shall be for the national grant and loan program authorized by section 792 of the Energy Policy Act of 2005 for the National Clean Diesel Initiative; and \$1,122,584,000 shall be for grants, including associated program support costs, to States, federally-recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which \$49,495,000 shall be for carrying out section 128 of CERCLA, as amended, \$14,850,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, not less than \$18,500,000 of the funds available for grants under section 106 of the Act shall be for the water quality monitoring initiative that meet EPA standards for statistically representative monitoring programs, \$17,567,000 to make grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, as amended, and to federally-recognized tribes under Public Law 105-276, and to provide financial assistance to States and federally-recognized tribes for the purposes authorized by Title XV, Subtitle B of the Energy Policy Act of 2005, with the exception of leaking underground storage tank cleanup activities that are authorized by section 205 of Superfund Amendments and Reauthorization Act of 1986, and \$15,930,000 shall be for making competitive targeted watershed grants: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by

a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2007 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2007, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to federally-recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act: *Provided further*, That for fiscal year 2007, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under title VI of that Act may be reserved by the Administrator for grants under section 518(c) of that Act: *Provided further*, That no funds provided by this Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: *Provided further*, That of the funds made available under this heading in Division I of Public Law 108-447, \$500,000 is for Monticello, AR water and wastewater infrastructure improvements and \$500,000 is for Pine Bluff, AR water and wastewater infrastructure improvements: *Provided further*, That funds that were appropriated under this heading for special project grants in fiscal year 2001 or earlier that have not been obligated on an approved grant by September 1, 2007, are rescinded.

□ 1530

AMENDMENT OFFERED BY MR. TAYLOR OF NORTH CAROLINA

Mr. TAYLOR of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of North Carolina:

On page 67, line 2, strike "\$3,007,348,000" and insert in lieu thereof "\$3,009,348,000".

On page 69, line 2, strike "\$26,000,000" and insert in lieu thereof "\$28,000,000".

Mr. TAYLOR of North Carolina. Mr. Chairman, this amendment would increase the EPA State and Tribal Assistance Grants account by \$2 million for the National Clean Diesel Initiative. This is an important initiative that was authorized by the Energy Policy Act of 2005. These funds will be used to retrofit school buses and heavy duty trucks and contribute significantly to reducing harmful emissions into the air.

I urge a "yes" vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. TAYLOR).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

ADMINISTRATIVE PROVISIONS

For fiscal year 2007, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by subsection (f)(2) of the Pesticide Registration Improvement Act of 2003), as amended.

None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

By December 31, 2006, EPA shall finalize a rule for the Federal Water Pollution Control Act, as amended, section 106 (Water Pollution Control) grants that incorporates financial incentives for States that implement adequate National Pollutant Discharge Elimination System fee programs.

POINT OF ORDER

Mr. DUNCAN. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DUNCAN. Mr. Chairman, on behalf of the Transportation and Infrastructure Committee, I raise a point of order against the provision beginning on page 73, line 3 and ending on line 8.

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair finds that this paragraph includes language imparting direction to the Executive.

The paragraph therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the paragraph is stricken from the bill.

AMENDMENT OFFERED BY MR. PALLONE

Mr. PALLONE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PALLONE:

On page 73 after line 2 insert the following:

None of the funds made available in this Act may be used to promulgate in final form, issue, implement, or enforce the Environmental Protection Agency's Toxics Release Inventory Burden Reduction Proposed Rule published in the Federal Register on October 4, 2005 (Volume 70, Number 191) at pages 57822 and following or the Toxics Release Inventory 2006 Burden Reduction Proposed Rule published in the Federal Register on October

4, 2005 (Volume 70, Number 191) at pages 57871 through 57872.

Mr. PALLONE. Mr. Chairman, I am introducing this amendment with the gentlewoman from California (Ms. SOLIS) to protect local communities' rights to know what toxic chemicals are being dumped in their backyards.

Eighteen years ago Congress passed the Emergency Planning and Community Right-to-Know Act, which established the Toxics Release Inventory Program. This simple program does not force companies to reduce the amount of toxic chemicals they use. Rather, it requires that they disclose the types and amounts of chemicals used at a particular facility and how those substances were disposed of, recycled, or released into the environment.

This critical disclosure requirement lets communities know specifically how much of which chemicals are being dumped where. For citizens concerned about their health, this information can be critical. It is also valuable to a host of other constituencies, including workers who could be affected on the job site, first responders and others who need to plan for incidents at specific facilities.

Not only does the program provide this important information to those who need it, it also has been extremely successful at getting companies to voluntarily reduce their toxic releases. Since the program started, overall toxic releases are down 59 percent around the country.

In fact, the chemical industry themselves thinks this is a good program. Earlier this year the Washington Post quoted Michael Walls, manager of Regulatory and Technical Affairs for the American Chemistry Council, saying, "It's one of the most successful regulatory programs we have been involved in."

Unfortunately, Mr. Chairman, the EPA does not seem to agree. Last year they proposed a set of changes that would seriously undermine the intent of the program.

First, they are proposing to eliminate reporting for more than 22,000 facilities that release up to 5,000 pounds of toxic chemicals every year. These facilities would switch to a simple form merely indicating what chemicals they have on site, not how they are released and in what quantities.

Second, the EPA is proposing to eliminate the same type of detailed reporting from facilities that manage up to 500 pounds per year of persistent bioaccumulative chemicals, some of the deadliest substances used in industry today. These chemicals, which include mercury and lead, can cause serious harm even in tiny quantities.

And, third, EPA is proposing to require that companies report only every other year rather than every year as the program currently requires. This final change makes the least sense of all. EPA themselves point out that data for certain chemicals can swing widely from year to year depending on

the actions of one particular facility such as a large mining operation.

The EPA would gut the intent of the TRI program, and I would like to remind my colleagues that this program was created in the wake of the Bhopal disaster in India, where an explosion at a Union Carbide facility more than 20 years ago killed thousands. We have the program so we know where we might have the potential for another Bhopal, but also so we know where slow, silent releases of toxic chemicals could pose serious threats to public health.

So I would like to emphasize again to my colleagues that our amendment is really about protecting community right to know. It is about standing up for the principle that your constituents should be able to find out what toxic chemicals might be getting dumped in area streams, pumped out into the air, or trucked to a nearby landfill. And it is also about protecting a highly successful program, one of the few that has been consistently recognized even by industry as being effective and worthwhile.

So, again, I ask that my colleagues join me in supporting this amendment, and I would like to thank Chairman TAYLOR for being open to discuss this issue, and I hope that we can continue to work together.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to this proposal, this amendment, and I want to tell you it is really difficult for me to see us put more and more barriers in the way of keeping and creating jobs in America.

What the gentleman is doing with his amendment is striking language that will allow reforms to the Toxic Release Inventory annual reporting requirements. The reason it is important is because it directly affects small businesses. In fact, it has a tremendously greater impact on small businesses than it does on large businesses.

There was an example given by W. Mark Crain in a report called The Impact of Regulatory Costs on Small Firms. It was done by the Small Business Administration Advocacy Group, the overall regulatory burden was, as estimated by Mr. Crain, to exceed \$1.1 trillion in 2004. The costs have gone up since then. But for manufacturing firms of fewer than 20 employees, the annual regulatory burden of 2004 was \$21,919 per employee, two and a half times greater than the \$8,748 burden per employee with firms of 500 or more employees. So by striking this language, you target the small businesses, and in Kansas small businesses are four out of five jobs. So this is a direct assault on the jobs in America because it raises costs making us less competitive.

Now, the EPA has followed the proper process of reforms. In response to the continuing calls for this Toxic Release Inventory annual reporting system, EPA conducted stakeholders outreach meetings in 2003. It took public

comments in 2003 and 2004 on possible reporting reforms. The EPA subsequently proposed and revised a Form A and took additional public comments on that proposal, and they came up with a plan that works. It alleviates the burden and it still has 99 percent of the current information now reported on a different form, on Form R. This is going to reduce the cost for small businesses. It is going to allow us to continue to have the reporting on these toxic release inventories.

But let me just tell you the impact on one of the local small businesses. Nancy Klinefelter is president of Baltimore Glassware Decorators. Her small business specializes in printing small quantities of custom glass and ceramicware for special occasions. Some of Nancy's work can even be found in the House Gift Shop right here. When they print these mugs or glasses for customers, they sometimes use lead-bearing colors on the outside surfaces. These colors are expensive; so they use only a minimal amount of paint needed, which reduces waste, and the finishing process ensures that none of the lead leaches out. So their products are completely safe for anyone who uses them. I am even told that the EPA sells her products in their gift shop. But because of this Toxic Release Inventory lead rule, Nancy's business is forced to compile daily records on how much color is used for the mugs because the colors contain a very small amount of lead. Each year her small business then has to report to the EPA how much lead has been used. This may sound like some innocuous rule, but the truth is it costs Nancy \$7,000 annually. When you add up all the other small businesses, it is over \$70 million every year.

And what do Americans get for this? Do they get cleaner air? No. Do they get less lead being used? No. Is there less exposure to lead by children because of this? No. The answer is none of these things. All the American people get are thousands of reports on estimates on how much lead is being used. Many reports are never read, and our air is not any cleaner. The average citizen does not gain any public health benefits. Instead, small businesses have to comply with the EPA reporting rule and are literally wasting tens of millions of dollars every year, and it is costing us good-paying jobs. These jobs end up in other countries, offshore.

Rather than focussing on reducing the real pollution and focusing on real pollution cleanup, EPA has to spend an inordinate amount of time on these small reports that nobody ever uses. Now, with an average cost of \$21,919 per employee for small businesses that have less than 20 employees, is a lot of money. It could be reinvested and create more jobs. But, instead, it is just reporting paperwork that piles up.

The gentleman has good intents on having clean air and clean water, a clean environment, and I support that. But striking this language will not

make the environment any cleaner. It will only cost us jobs. Again, ninety-nine percent of the same information will still be reported under the reforms conducted by EPA and put in place correctly by EPA.

So for that reason I rise in opposition to the gentleman's proposal, and I encourage all my colleagues to vote against this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

The amendment would block the EPA from changing the reporting requirements for toxic releases. I appreciate the proponent's concerns that the information on toxic releases should be reported in a timely manner and that this information should be publicly available. These concerns are shared by many State and local officials.

On the other hand, I believe that some accommodation should be made by EPA for small businesses that have no toxic releases or have only trace amounts of toxic releases.

I am prepared to accept the amendment today with the understanding that we will work with EPA to determine how we can accomplish the amendment's goals without placing unnecessary reporting burdens on businesses that release no toxics or have only trace amounts.

I commend the amendment's authors for pursuing this and look forward to working with EPA on that matter.

□ 1545

The Acting CHAIRMAN (Mr. FOLEY). The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. PENCE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. FOLEY, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5386, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5386 in the Committee of the Whole pursuant to House Resolution 818, notwithstanding clause 11 of rule XVIII, no further amendments to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

Amendments printed in the RECORD and numbered 1 and 7;

The amendment printed in the RECORD and numbered 6, which shall be debatable for 20 minutes;

An amendment by Mr. PUTNAM regarding a moratorium on drilling in the OCS, which shall be debatable for 60 minutes;

An amendment by Mr. CHABOT regarding a limitation on funds for roads in the Tongass National Forest, which shall be debatable for 20 minutes;

An amendment by Mr. OBERSTAR regarding a limitation on funds for activities under the Clean Water Act, which shall be debatable for 30 minutes;

An amendment by Mr. HINCHEY regarding a limitation on funds for suspension of royalty relief, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY or Mr. DICKS addressing global climate change by modifying the amount provided for EPA Environmental Programs and Management, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY regarding funding increases for various accounts with a tax offset;

An amendment by Mr. TIAHRT regarding business competitiveness;

An amendment by Mr. GARY MILLER of California regarding the San Gabriel Watershed;

An amendment by Mr. CONAWAY regarding EPA drinking water regulations for arsenic;

An amendment by Mr. GORDON regarding Federal building energy use;

An amendment by Ms. JACKSON-LEE of Texas regarding a limitation on funds for urban reforestation;

An amendment by Ms. JACKSON-LEE of Texas regarding a limitation on funds on Smithsonian outreach programs;

An amendment by Mr. GARRETT of New Jersey regarding Federal employee travel to conferences;

An amendment by Mr. DENT regarding a limitation on funds to enforce the Indian Gaming Regulatory Act;

An amendment by Mr. ANDREWS regarding Forest Service salaries and expenses;

An amendment by Mr. MEEHAN regarding EPA national emissions standards;

An amendment by Mr. TAYLOR of North Carolina regarding funding for various accounts;

An amendment by Mr. BEAUPREZ regarding funding for wildland fire management;

An amendment by Mr. FLAKE regarding any Iowa State University project on mitigating emissions from egg farms;

An amendment by Mr. FLAKE regarding funding for ivory-billed woodpecker research;

An amendment by Mr. FLAKE regarding funding for Neosha National Fish Hatchery;

An amendment by Mr. FLAKE regarding funding for the Blackwater National Wildlife Refuge;

An amendment by Mr. FLAKE regarding Santa Ana River Wash program;

An amendment by Mr. FLAKE regarding staffing for the National Zoological Park;

An amendment by Mr. FLAKE regarding NFS recreation sites in North Carolina;

An amendment by Mr. FLAKE regarding citrus studies in Florida;

An amendment by Mr. FLAKE regarding the Pacific Crest National Scenic Trail;

An amendment by Mr. FLAKE regarding the Florida National Scenic Trail;

An amendment by Mr. FLAKE regarding the Continental Divide National Trail.

Each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Interior, Environment, and Related Agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. OBEY. Mr. Speaker, reserving the right to object, I don't intend to object, but I do want to point out to each and every Member that if this unanimous consent agreement is accepted by the body, the way I count it, that means that we will go to about 12 o'clock tonight before we begin to vote. I ask that Members remember that as they are entertaining their enthusiasm for offering a number of these amendments tonight. It just seems to me that Members need to know that this is going to take a long, long time; and we

would appreciate it being shortened by people whenever it is possible to do so.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 818 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5386.

□ 1553

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. FOLEY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) had been postponed and the bill had been read through page 73, line 8.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

SEC. 201. None of the funds made available by this Act may be used in contravention of, or to delay the implementation of, Executive Order No. 12898 of February 11, 1994 (59 Fed. Reg. 7629; relating to Federal actions to address environmental justice in minority populations and low-income populations).

SEC. 202. None of the funds made available in this Act may be used in contravention of 15 U.S.C. 2682(c)(3) or to delay the implementation of that section.

TITLE III—RELATED AGENCIES DEPARTMENT OF AGRICULTURE FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$280,318,000, to remain available until expended: *Provided*, That of the funds provided, \$62,329,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged

by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, \$228,608,000, to remain available until expended, as authorized by law of which \$9,280,000 is to be derived from the Land and Water Conservation Fund: *Provided*, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the Forest Service notifies the House Committee on Appropriations and the Senate Committee on Appropriations, in writing, of specific contractual and grant details including the non-Federal cost share.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, \$1,445,659,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601-6a(1)): *Provided*, That unobligated balances under this heading available at the start of fiscal year 2007 shall be displayed by budget line item in the fiscal year 2008 budget justification.

WILDLAND FIRE MANAGEMENT (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, \$1,810,566,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal years 2006 and 2007 shall be transferred to the fund established pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576 et seq.) if necessary to reimburse the fund for unpaid past advances: *Provided further*, That, notwithstanding any other provision of law, \$8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, \$296,792,000 is for hazardous fuels reduction activities, \$5,000,000 is for rehabilitation and restoration, \$22,800,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland

Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), \$43,000,000 is for State fire assistance, \$12,810,000 is for volunteer fire assistance, \$14,800,000 is for forest health activities on Federal lands and \$10,000,000 is for forest health activities on State and private lands: *Provided further*, That amounts in this paragraph may be transferred to the "State and Private Forestry", "National Forest System", and "Forest and Rangeland Research" accounts to fund State fire assistance, volunteer fire assistance, forest health management, forest and rangeland research, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in the report accompanying this Act: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriation, up to \$15,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: *Provided further*, That included in funding for hazardous fuel reduction is \$5,000,000 for implementing the Community Forest Restoration Act, Public Law 106-393, title VI, and any portion of such funds shall be available for use on non-Federal lands in accordance with authorities available to the Forest Service under the State and Private Forestry appropriation: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That of the funds provided for hazardous fuels reduction, not to exceed \$5,000,000, may be used to make grants, using any authorities available to the Forest Service under the State and Private Forestry appropriation, for the purpose of creating incentives for increased use of biomass from national forest lands: *Provided further*, That funds designated for wildfire suppression shall be assessed for indirect costs on the same basis as such assessments are calculated against other agency programs.

AMENDMENT NO. 5 OFFERED BY MR. BEAUPREZ

Mr. BEAUPREZ. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. BEAUPREZ:

In title III of the bill under the heading "WILDLAND FIRE MANAGEMENT (INCLUDING TRANSFER OF FUNDS)", insert after the first dollar amount the following: "(increased by \$28,700,000)".

In title III of the bill under the heading "NATIONAL ENDOWMENT FOR THE ARTS—GRANTS AND ADMINISTRATION", insert after the first dollar amount the following: "(reduced by \$30,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Colorado (Mr. BEAUPREZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BEAUPREZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, simply put, this amendment will reduce funding for the National Endowment for the Arts by \$30 million and transfer those funds to the United States Forest Service to reduce the threat of catastrophic wildfires.

Earlier this week, I was pleased to support the passage of the Forest Emergency Recovery and Research Act because it will expedite the restoration of forest land affected by catastrophic wildfires. However, we can all agree that prevention comes first. Additional resources are needed if we are to get a handle on the wildfire crisis gripping the West.

In 2002, the American taxpayers spent over \$1.5 billion containing these devastating blazes. When Congress spends so much annually to put out wildfires, doesn't it make more sense to spend that money on additional thinning treatments that could help prevent these fires from starting in the first place?

According to the House Resources Committee, 190 million acres of BLM and Forest Service land are at risk to catastrophic wildfire. To put that in perspective, this area is larger than the States of California and Arizona combined.

The Wall Street Journal reported that parts of the National Forest system contained more than 400 tons of dry fuel per acre, or 10 times the manageable or appropriate level. Disease and insect infestation have also contributed to an increase in combustible fuels.

In Colorado alone, my State, surveys have recorded that approximately 1.2 million trees were killed by mountain pine beetle outbreaks in 2004. This is nearly 100 times the mortality rate reported in 1996, the first year a study was released by the Colorado Forest Service on pine beetles damage.

Unfortunately, beetle kill leaves behind the kind of timber that turns small fires into the kinds of infernos that have devastated Colorado and other western States in recent years, destroying homes, poisoning the air, scorching critical habitat, and choking streams and rivers with tons of soot and sediment.

Even with increased attention to thinning and fuel treatments efforts with legislation like the Healthy Forest Initiative, more funding is needed.

Since the majority of our forests are federally owned, the burden to protect our States and local communities from the devastating effects of forest fires lies with the Federal agencies designated to protect them. Congress must fully fund their needs.

The question arises, Why take funding from the NEA? I actually applaud the progress that has been made recently by the NEA in repairing a very damaged image in the view of many Americans. It is important, however, to recognize that only a small percentage of funding for the arts comes from the Federal Government. In 2001, Americans spent \$27 billion on non-profit arts funding. At \$124 million, the NEA funding is just a drop in the bucket for an art industry that seems to be doing exceedingly well.

Congress has to choose its fiscal priorities and obligations responsibly. This amendment amounts to one-tenth of one percent of total arts funding, but it is a massive help to ensure the safety of our western communities, prevent forest fires and save lives.

Anyone who has witnessed the devastation to life, property, wildlife, water and air from the monster that is a forest fire understands that investing in prevention infinitely outweighs the incalculable long-term costs of a forest fire. This amendment allows us to invest in prevention, Mr. Chairman, and I urge its adoption.

Mr. Chairman, I reserve the balance of my time.

□ 1600

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, no one is a stronger supporter of the National Forests health and wildfire management. But this amendment goes too far. The amendment cuts the NEA funding drastically, and this is much too much of a cut.

The President's budget in the committee bill is a fair amount, is level funding with the fiscal year 2006 enacted level. We did raise it slightly and agreed to that.

But that remains to be seen. We should support the NEA. The reforms which this committee put in place are working. The new chairman of the NEA is doing an excellent job of ensuring that important works are supported and that funding is well distributed.

The bill makes a very strong contribution to the National Fire Plan. It is something that Members can be proud of. The bill increases overall wildfire funding \$80 million over last year. That includes a large \$70 million increase for Forest Service fuel reduction, and this is \$34 million above the 2005 level.

I agree with the gentleman that this work is essential, but the agencies can only ramp up so fast. So extra funding is not necessarily needed this year.

Mr. Chairman, the gentleman is incorrect when he says that the fire funding is down 14 percent from 2005. His calculations may have included the \$500 million in emergency funding provided that year. Not counting the emergency fire suppression funds, this bill is \$145 million above the 2005 funding level, and this is enough for these fiscally tight times.

I also want to point out that this bill has increased funding for forest health management, an important key for preventing forest fires by \$31 million above the President's request, and I want to point out that the Forest Service was able to carry over extra wildfire suppression funds from 2005 to this year.

So they have or should have plenty of funds for the fire season absent a catastrophic season. Despite the good intentions behind this amendment, we do not need this additional increase for the fund's work at this time. We should not gut the administration's effort in the NEA.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to say to the gentlemen, our committee has been a great advocate for money for fire. There is \$2 billion, 579 million, for fire in the bill. \$500 million of the fire emergency funds are still available.

We just increased the NEA by \$5 million to \$129.4 million, and NEA still is \$40 million below its high point back in 1994. We fund programs in all States. This would be a devastating cut, and we do not need the money for fire. And I have offered amendment after amendment after amendment to put emergency fire money in when it is necessary.

Also, the agencies can borrow money internally if necessary to deal with the problem. So I urge a no on this amendment. I think it is well intended, but simply not necessary and would do great damage to the NEA.

Mr. Chairman, I urge a no vote.

Mr. BEAUPREZ. Mr. Chairman, I appreciate the chairman. I will be brief. I respect and appreciate the effort put forth by both the minority as well as the majority side of the committee on this issue.

But with all due respect, I would point out again that the private sector, and a very large private sector, supports our arts industry. The public sector, we in government, have an obligation to look after the government's assets and people's lives, and that is what is at stake with this amendment.

With all due respect to the comments that have already been made, no one looks after our national forests other than we in government, and I would encourage both the chairman and the ranking member at the next opportunity to come out to the West and visit and see the devastation the pine beetle damage has created in our forests. We are sitting literally on a matchbox awaiting someone to light the first match.

I urge the adoption of this amendment. I think it is common sense. I think it is about us in government establishing priorities to protect and defend our Nation's assets and our citizens' lives.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. BISHOP of Utah). The gentleman from North Carolina has 1½ minutes remaining.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1½ minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman for yielding.

Mr. Chairman, I do not disagree with what the gentleman from Colorado is saying. There has been devastation in our forests. We do need the funding for firefighting and so forth. But I will tell you that taking it out of the NEA is the wrong place in the bill.

Mr. Chairman, they have done a tremendous job under the chairmanship of Gioia. They have brought the NEA back to what we originally intended it to be, and that is a means of getting the arts out to the rest of America, to rural America, particularly.

And if you will look at some of the programs that they have, their masters program and the Shakespeare program and others, they have done a great job of getting the rest of rural America exposed to those types of things. That is what the NEA is all about.

And yes, there is private organizations that fund a lot of these. But oftentimes it is in conjunction with private and public financing. Sometimes they just finance a very small portion of it. So I think that while I agree with the gentlemen's intent in terms of fire protection, taking the money out of the NEA, which is substantially below what it was in its high peak as was mentioned, I think is the wrong direction to go and would set this program back, when it is moving in the direction that we all hope it will go.

Mr. Chairman, I appreciate the gentleman's amendment, but I will be voting against it.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. BEAUPREZ).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. BEAUPREZ. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CAPITAL IMPROVEMENT AND MAINTENANCE (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, \$411,025,000, to remain available until expended for construction, reconstruction, maintenance, and acquisition of, buildings and other facilities, and for construction, reconstruction, repair, decommissioning, and maintenance of forest roads and trails by the Forest Service as au-

thorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: *Provided*, That up to \$15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: *Provided further*, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project: *Provided further*, That \$7,400,000 of the funds made available in section 8098(b) of Public Law 108-287, to construct a wildfire management training facility in San Bernardino County, shall be transferred within 15 days of the enactment of this Act to the Forest Service, "Wildland Fire Management" account and shall be available for hazardous fuels reduction, hazard mitigation, and rehabilitation activities of the Forest Service in the San Bernardino National Forest so long as this funding is used in addition to, and not in place of, all normal funding allocated to this Forest.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$7,500,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That the Forest Service may not use funds in fiscal year 2007, including funds made available in Public Law 96-586 or any other Act, to purchase land for the Homewood Conservation Project in Lake Tahoe, California.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, \$1,053,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts (16 U.S.C. 4601-516-617a, 555a; Public Law 96-586; Public Law 76-589, 76-591; and 78-310), pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94-579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$63,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for

subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96-487), \$5,311,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901-5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon notification of the House and Senate Committees on Appropriations and if and only if all previously appropriated emergency contingent funds under the heading "Wildland Fire Management" have been released by the President and apportioned and all wildfire suppression funds under the heading "Wildland Fire Management" are obligated.

The first transfer of funds into the Wildland Fire Management account shall include unobligated funds, if available, from the Land Acquisition account and the Forest Legacy program within the State and Private Forestry account.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than \$73,052,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center.

Funds available to the Forest Service shall be available to conduct a program of not less

than \$2,500,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps.

Of the funds available to the Forest Service, \$4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101-593, of the funds available to the Forest Service, \$2,500,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than \$100,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: *Provided further*, That authorized investments of Federal funds held by the Foundation may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98-244, \$2,250,000 of the funds available to the Forest Service shall be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs. Such funds shall be matched on at least a one-for-one basis by the Foundation or its subrecipients.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-663.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed \$500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: *Provided*, That such amounts shall not exceed \$500,000.

An eligible individual who is employed in any project funded under title V of the Older American Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older American Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed \$45,000,000, shall be assessed for the purpose of performing facilities maintenance. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$2,830,136,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That up to \$18,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That \$536,259,000 for contract medical care shall remain available until September 30, 2008: *Provided further*, That of the funds provided, up to \$27,000,000, to remain available until expended, shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further*, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed \$270,316,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2007, of which not to exceed \$5,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts or annual funding agreements: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service and tribes and tribal

organizations operating health facilities pursuant to Public Law 93-638 such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.).

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, \$363,573,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: *Provided further*, That not to exceed \$500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed \$1,000,000 from this account and the "Indian Health Services" account shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed \$500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by 5 U.S.C. 5901-5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-2653) shall be credited to the ac-

count of the facility providing the service and shall be available without fiscal year limitation. Notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86-121 (the Indian Sanitation Facilities Act) and Public Law 93-638, as amended.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

None of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process. Personnel ceilings may not be imposed on the Indian Health Service nor may any action be taken to reduce the full time equivalent level of the Indian Health Service below the level in fiscal year 2002 adjusted upward for the staffing of new and expanded facilities, funding provided for staffing at the Lawton, Oklahoma hospital in fiscal years 2003 and 2004, critical positions not filled in fiscal year 2002, and staffing necessary to carry out the intent of Congress with regard to program increases.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding. Such amounts shall remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in

carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, \$79,414,000, of which \$3,000,000 for individual project grants shall remain available until September 30, 2008.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986, as amended; and section 3019 of the Solid Waste Disposal Act, as amended, \$76,754,000, of which up to \$1,500,000, to remain available until expended, is for Individual Learning Accounts for full-time equivalent employees of the Agency for Toxic Substances and Disease Registry: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That funds paid for administrative costs to the Centers of Disease Control and Prevention shall not exceed 7.5 percent of the funding provided under this heading: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2007, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed \$750 for official reception and representation expenses, \$2,627,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$9,208,000: *Provided*, That the Chemical Safety and Hazard Investigation

Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That in fiscal year 2007 and thereafter, notwithstanding any other provision of law, the Environmental Protection Agency Inspector General shall not serve as the Inspector General for the Board: *Provided further*, That up to \$600,000 of the funds provided herein may be used for personnel compensation and benefits for the Members of the Board.

OFFICE OF NAVAJO AND HOPI INDIAN
RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93-531, \$5,940,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA
NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99-498, as amended (20 U.S.C. 56 part A), \$6,703,000.

SMITHSONIAN INSTITUTION
SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, \$517,094,000, of which \$10,000,000 is for facilities maintenance at the National Zoological Park; of which not to exceed \$9,964,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and of which \$2,077,000 for fellowships and scholarly awards shall remain available until September 30, 2008; and including such funds as may be necessary to support American overseas research centers and a total of \$125,000 for the Council of American Overseas Research Centers: *Provided*, That funds appropriated herein are available for advance pay-

ments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, \$107,000,000, to remain available until expended, of which \$20,000,000 is for maintenance, repair, rehabilitation, and construction of facilities at the National Zoological Park, and of which not to exceed \$10,000 is for services as authorized by 5 U.S.C. 3109: *Provided*, That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN
INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without the advance approval of the House and Senate Committees on Appropriations.

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Committees on Appropriations.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the statement of the managers accompanying this Act.

None of the funds in this or any other Act may be used to purchase any additional buildings without prior consultation with the House and Senate Committees on Appropriations.

None of the funds made available by this Act may be used to execute any contract or legal agreement with a for-profit entity which has the effect of significantly limiting access by the public to Smithsonian personnel or to Smithsonian collections unless such agreement has been publicly noticed at least 30 days prior to entering into such contract or agreement and has been approved by the Regents of the Smithsonian Institution after reviewing any public comments that have been received during the public comment period. This section does not limit the Smithsonian's existing authority to grant or deny any specific request, by any organization or individual for access, based on its judgment of the appropriateness of the use of Smithsonian resources being proposed in a specific application.

None of the funds in the Act shall be used to administer or otherwise facilitate the payment of compensation to any officer or employee of the Smithsonian or any of its subsidiary organizations at an annual rate of pay, including any bonuses or similar cash or in-kind amounts, in excess of the rate of pay of the President of the United States.

NATIONAL GALLERY OF ART
SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and

care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$101,794,000, of which not to exceed \$3,239,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF
BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, \$14,949,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price: *Provided further*, That, notwithstanding any other provision of law, a single procurement for the Master Facilities Plan renovation project at the National Gallery of Art may be issued which includes the full scope of the Work Area #3 project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

JOHN F. KENNEDY CENTER FOR THE
PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$18,909,000.

CONSTRUCTION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$19,800,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR
SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$9,438,000.

NATIONAL FOUNDATION ON THE ARTS AND THE
HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS
GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$124,412,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts

education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, including \$14,097,000 for support of arts education and public outreach activities through the Challenge America program, for program support, and for administering the functions of the Act, to remain available until expended: *Provided*, That funds previously appropriated to the National Endowment for the Arts "Matching Grants" account and "Challenge America" account may be transferred to and merged with this account: *Provided further*, That funds appropriated herein shall be expended in accordance with sections 309 and 311 of Public Law 108-108.

NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$126,049,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$14,906,000, to remain available until expended, of which \$9,648,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants up to \$10,000, if in the aggregate this amount does not exceed 5 percent of the sums appropriated for grant-making purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson: *Provided further*, That 20 U.S.C. 954(e) shall not apply to grants and contracts funded solely with nonappropriated monies.

COMMISSION OF FINE ARTS SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,951,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956a), as amended, \$6,534,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), \$5,118,000: *Provided*, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$7,623,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106-292 (36 U.S.C. 2301-2310), \$43,415,000, of which \$515,000 for the equipment replacement program shall remain available until September 30, 2009; and \$1,900,000 for the museum's repair and rehabilitation program and \$1,264,000 for the museum's exhibition design and production program shall remain available until expended.

PRESIDIO TRUST PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, \$19,256,000 shall be available to the Presidio Trust, to remain available until expended.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE SALARIES AND EXPENSES

For necessary expenses of the White House Commission on the National Moment of Remembrance, \$200,000.

TITLE IV—GENERAL PROVISIONS

SEC. 401. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

□ 1615

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title IV be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The text of the remainder of title IV is as follows:

SEC. 402. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote

public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 404. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 405. Estimated overhead charges, deductions, reserves or holdbacks from programs, projects, activities and subactivities to support government-wide, departmental, agency or bureau administrative functions or headquarters, regional or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer provided in, this Act or any other Act.

SEC. 407. None of the funds available to the Forest Service or the Bureau of Land Management may be used in fiscal year 2007 or fiscal year 2008 to plan, prepare, or offer for sale timber from trees classified as giant sequoia (*Sequoiadendron giganteum*) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2005.

SEC. 408. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2007, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the

standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 409. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103-138, 103-332, 104-134, 104-208, 105-83, 105-277, 106-113, 106-291, 107-63, 108-7, 108-108, 108-447, and 109-54 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2006 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 410. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the 5-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 411. Amounts deposited during fiscal year 2006 in the roads and trails fund provided for in the 14th paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 412. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 413. Prior to October 1, 2008, the Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

SEC. 414. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Min-

eral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

SEC. 415. In entering into agreements with foreign countries pursuant to the Wildfire Suppression Assistance Act (42 U.S.C. 1856m) the Secretary of Agriculture and the Secretary of the Interior are authorized through the end of fiscal year 2010 to enter into reciprocal agreements in which the individuals furnished under said agreements to provide wildfire services are considered, for purposes of tort liability, employees of the country receiving said services when the individuals are engaged in fire suppression. The Secretary of Agriculture or the Secretary of the Interior shall not enter into any agreement under this provision unless the foreign country (either directly or through its fire organization) agrees to assume any and all liability for the acts or omissions of American firefighters engaged in firefighting in a foreign country. When an agreement is reached for furnishing fire fighting services, the only remedies for acts or omissions committed while fighting fires shall be those provided under the laws of the host country, and those remedies shall be the exclusive remedies for any claim arising out of fighting fires in a foreign country. Neither the sending country nor any legal organization associated with the firefighter shall be subject to any legal action whatsoever pertaining to or arising out of the firefighter's role in fire suppression.

SEC. 416. In awarding a Federal contract with funds made available by this Act, notwithstanding Federal Government procurement and contracting laws, the Secretary of Agriculture and the Secretary of the Interior (the "Secretaries") may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent areas that have been affected by reduced timber harvesting on Federal lands and other forest-dependent rural communities isolated from significant alternative employment opportunities. Notwithstanding Federal Government procurement and contracting laws the Secretaries may award contracts, grants or cooperative agreements to local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or micro-business or disadvantaged business. The contract, grant, or cooperative agreement is for forest hazardous fuels reduction, watershed or water quality monitoring or restoration, wildlife or fish population monitoring, or habitat restoration or management. The terms "rural community" and "economically disadvantaged" shall have the same meanings as in section 2374 of Public Law 101-624. The Secretaries shall develop guidance to implement this section. Nothing in this section shall be construed as relieving the Secretaries of any duty under applicable procurement laws, except as provided in this section.

SEC. 417. No funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appro-

priated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

SEC. 418. (a) LIMITATION ON COMPETITIVE SOURCING STUDIES.—

(1) Of the funds made available by this or any other Act to the Department of the Interior for fiscal year 2007, not more than \$3,450,000 may be used by the Secretary of the Interior to initiate or continue competitive sourcing studies in fiscal year 2007 for programs, projects, and activities for which funds are appropriated by this Act until such time as the Secretary concerned submits a reprogramming proposal to the Committees on Appropriations of the Senate and the House of Representatives, and such proposal has been processed consistent with the reprogramming guidelines included in the report accompanying this Act.

(2) Of the funds appropriated by this Act, not more than \$2,500,000 may be used in fiscal year 2007 for competitive sourcing studies and related activities by the Forest Service.

(b) COMPETITIVE SOURCING STUDY DEFINED.—In this section, the term "competitive sourcing study" means a study on subjecting work performed by Federal Government employees or private contractors to public-private competition or on converting the Federal Government employees or the work performed by such employees to private contractor performance under the Office of Management and Budget Circular A-76 or any other administrative regulation, directive, or policy.

(c) COMPETITIVE SOURCING EXEMPTION FOR FOREST SERVICE STUDIES CONDUCTED PRIOR TO FISCAL YEAR 2006.—The Forest Service is hereby exempted from implementing the Letter of Obligation and post-competition accountability guidelines where a competitive sourcing study involved 65 or fewer full-time equivalents, the performance decision was made in favor of the agency provider, no net savings was achieved by conducting the study, and the study was completed prior to the date of this Act.

(d) In preparing any reports to the Committees on Appropriations on competitive sourcing activities, agencies funded in this Act shall include all costs attributable to conducting the competitive sourcing competitions and staff work to prepare for competitions or to determine the feasibility of starting competitions, including costs attributable to paying outside consultants and contractors and, in accordance with full cost accounting principles, all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing, including personnel, consultant, travel, and training costs associated with program management.

(e) In carrying out any competitive sourcing study involving Forest Service employees, the Secretary of Agriculture shall—

(1) determine whether any of the employees concerned are also qualified to participate in wildland fire management activities; and

(2) take into consideration the effect that contracting with a private sector source would have on the ability of the Forest Service to effectively and efficiently fight and manage wildfires.

SEC. 419. None of the funds in this Act or prior Acts making appropriations for the Department of the Interior and Related Agencies may be provided to the managing partners or their agents for the SAFECOM or Disaster Management projects.

SEC. 420. Section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(3) of Public Law 106-113; 113 Stat. 1501A-196; 16 U.S.C. 497 note), as amended, is amended—

(1) in subsection (a) by striking "2006" and inserting "2007"; and

(2) in subsection (b) by striking "2006" and inserting "2007".

SEC. 421. The Secretary of Agriculture may acquire, by exchange or otherwise, a parcel of real property, including improvements thereon, of the Inland Valley Development Agency of San Bernardino, California, or its successors and assigns, generally comprising Building No. 3 and Building No. 4 of the former Defense Finance and Accounting Services complex located at the southwest corner of Tippecanoe Avenue and Mill Street in San Bernardino, California, adjacent to the former Norton Air Force Base. As full consideration for the property to be acquired, the Secretary of Agriculture may terminate the leasehold rights of the United States received pursuant to section 8121(a)(2) of the Department of Defense Appropriations Act, 2005 (Public Law 108-287; 118 Stat. 999). The acquisition of the property shall be on such terms and conditions as the Secretary of Agriculture considers appropriate and may be carried out without appraisals, environmental or administrative surveys, consultations, analyses, or other considerations of the condition of the property.

SEC. 422. None of the funds made available in this Act may be used to study, complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary of Agriculture or the Secretary of the Interior, including support personnel of the Department of Agriculture and the Department of the Interior, relating to wildfire management or wildfire suppression programs.

SEC. 423. None of the funds made available in this Act may be used to work on or enter into a contract with a private party to carry out, the Fire Program Analysis system, unless both the Secretary of Agriculture and the Secretary of the Interior certify, in writing to the Comptroller General, that this funding will accomplish the existing work plan, as determined by the Wildland Fire Leadership Council, and that State wildfire agencies will be full participants in the use and development of the system.

SEC. 424. Notwithstanding any other provision of law, no officer or employee of the Smithsonian Institution or any of its subsidiary organizations shall be compensated directly or indirectly at an annual rate of pay in excess of the statutorily established rate of pay of the President of the United States.

SEC. 425. (a) The Congress finds that—

(1) greenhouse gases accumulating in the atmosphere are causing average temperatures to rise at a rate outside the range of natural variability and are posing a substantial risk of rising sea-levels, altered patterns of atmospheric and oceanic circulation, and increased frequency and severity of floods and droughts;

(2) There is a growing scientific consensus that human activity is a substantial cause of greenhouse gas accumulation in the atmosphere; and

(3) mandatory steps will be required to slow or stop the growth of greenhouse gas emissions into the atmosphere.

(b) It is the sense of the Congress that there should be enacted a comprehensive and effective national program of mandatory, market-based limits and incentives on emissions of greenhouse gases that slow, stop, and reverse the growth of such emissions at a rate and in a manner that (1) will not significantly harm the United States economy; and (2) will encourage comparable action by other nations that are major trading partners and key contributors to global emissions.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order.

The Acting CHAIRMAN. The gentleman will state his point of order.

Mr. YOUNG of Alaska. Mr. Chairman, I raise a point of order that the language contained in section 425 beginning with "the Congress finds that," on page 125, line 3, through "contributors of global emissions" on page 125, line 25, violates clause 2 of rule XXI of the rules of the House representing prohibited legislation in appropriation bills.

The language that I have cited contains congressional findings and a sense of Congress on global warming. This language clearly constitutes legislation in appropriations bill, and such violates clause 2 of rule XXI.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. DICKS. Mr. Chairman, I would like to be heard on the point of order. This is my amendment, and I want the gentleman to understand that this doesn't have anything to do with authorizing language either for Interior or for Agriculture and that this amendment is a sense of the Congress.

Now, I don't see, and it would seem to me that the gentleman from Alaska would be more concerned about the global warming issue because of the consequences for his State. So I am very surprised that he is offering this point of order against my amendment, and I would hope he would reconsider.

The Acting CHAIRMAN. Does the gentleman from Alaska wish to be heard further?

Mr. YOUNG of Alaska. I will not reconsider. The language clearly constitutes legislation on an appropriations bill, and you know I do not like legislation on appropriations bills, period. I have been up here before, and I will be up here again every time on legislation on appropriations bills.

The Acting CHAIRMAN. Does any other Member wish to be heard on the point of order?

The Chair finds that this section states a legislative sentiment of the Congress. The section therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the section is stricken from the bill.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

Page 125, after line 25, insert the following new section:

SEC. 426. The amounts otherwise provided by this Act are revised by reducing the amount available for Environmental Protection Agency, Environmental Programs and Management, and increasing the amount made available for Environmental Protection Agency, Environmental Programs and Management, by \$1.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Alaska (Mr. YOUNG) each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I offer this amendment simply to have an opportunity to comment on what has just transpired on the House floor.

My great mentor and friend through most of my public life has been Gaylord Nelson, the founder of Earth Day, and perhaps the greatest environmentalist who ever served in the United States Senate. Just before he died, I had my last conversation with him about environmental issues, and he made quite clear that he thought the greatest environmental threat to mankind over the next 100 years was the issue of global warming. And it is time this Congress face up to that fact and does something about it.

I don't know what it takes to have this government get off its you-know-what and start dealing with the most critical environmental problem that confronts the entire planet. If we just take a look at a few of the pieces of evidence that are lying all around: core drillings in glaciers around the world enable us to study bubbles that go back as far as 300,000 years, and we see that we have a higher concentration of carbon dioxide than we have had in the known history of the planet.

Since 1970, the duration and intensity of hurricanes has increased by 50 percent, the number of tornados in this country has now reached the highest number in recorded history, some 1,700 in one year. Two hundred western cities have broken heat records in the past 2 years.

Glaciers, which are serving really as the proverbial canaries in the mines, are trying to tell us something. Twenty-seven of the 38 glaciers in Glacier Park are gone, and the rest of them are likely to be gone before this century reaches its halfway point. The Larsen ice shelf, 700 feet thick, was expected to last 100 years; it suddenly began to collapse in two weeks. The Arctic ice cap has lost half of its thickness in the last half century. The Greenland ice cap, as was referred to on that side of the aisle earlier, is melting at a highly accelerated rate. And, if it goes, one third of Florida goes with it. It will be underwater. If it goes, it could shut down the major Atlantic Ocean current. The current that drives the gulf stream has already decreased 30 percent in 50 years, and that is driven by differences in temperature and salinity of the water.

So this to me is not just an environmental problem; it is a moral problem. It isn't going to affect my generation. All of you who are in my generation are going to be gone within 20 years. But it most certainly is going to affect our kids, it most certainly is going to affect our grandkids. And I would hope that we would demonstrate that we

care more about the welfare of the planet than we care about committee jurisdictional dung hills.

But what is apparent today is that this Congress is going to be prevented from making a simple statement of fact that humans and human activity are driving, at least significantly driving, the problem of global warming and that we have an obligation to do something on the national level and the international level to deal with it, and we have an obligation to do it now.

John Sawhill, who served a variety of Republican administrations in a variety of capacities, said this just before he died: "In the end, our society will be defined not only by what we create, but by what we refuse to destroy." And I think we ought to remember that when we think of this issue.

To me, I think we need to remember what those who were present saw in 1933 at FDR's inaugural when he took the oath of office on the very steps of this Capitol. He is remembered mostly for saying that "we have nothing to fear but fear itself." But the line that got the greatest reaction from the crowd at that time was when FDR said, "We need action, and we need action now." We most certainly do. And I regret very much that the gentleman felt it necessary to knock out this language. If he is going to do that, then I would suggest that the authorizing committees have an obligation to sit down with the White House and begin immediately, not 6 months, not 6 years from now, the real process of producing actions that will indeed save this planet from what is most assuredly going to occur if we continue the drift that is implied by this action today.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I have the greatest respect for the gentleman who just spoke. My interest is in fact legislation on appropriation bills. And I do believe we have the opportunity to in fact have good hearings on this issue, because there is a difference of opinion.

Do me a favor, my friends, and go back and read 1972, 1973, 1974 and 1975. You were here, Mr. OBEY. I believe you were. I was. Maybe you weren't.

Mr. OBEY. Yes.

Mr. YOUNG of Alaska. We call that the Ice Age. Every scientist of any renown said we were faced with an ice age. It was irreversible. We were going to be faced with famines. The world was coming to an end. And we had to do something about it immediately. We had to do something about it as the Congress.

Check the records. That is the reality. What concerns me the most is the possibility of a fear tactic being implemented in the warming threat.

Let's have a good study. Let's have a debate and division of what is occurring by scientists. Let's look at the model. Yes, the Earth is warming, in some areas. I just read a report, in fact, that Greenland is cooling. The thing I

think strikes me the most is if you will take the time to study the globe, the world as we know it, and look at what has occurred in the past and possibly will occur in the future, we are now pumping 1 million barrels a day from Prudhoe Bay. Prudhoe Bay, the most northern part of this continent, we are pumping that oil.

Now, I ask you, my friends, if you studied science, where does oil come from? What occurred on this globe at that time to allow mastodons, ferns, tree stumps, a tropical atmosphere to be there to create that oil? And that is the reality.

I ask you, secondly, if you go back to the Ice Age, and we have had four ice ages, three majors and one minor, if you go to New Mexico 12 million years ago, there was 287 feet of ice in New Mexico. I won't ask you what created that ice. But I will ask each and every one of you and everybody watching and everybody talking this fear tactic what melted that ice all the way to the North Pole before mankind set foot on this continent. It certainly wasn't hair spray or freon or automobile emissions. It melted, 287 foot of ice, before we set foot.

I am a little bit concerned when everything that is wrong is our fault, that the human factor creates all the damages on this globe. That is pure nonsense. That is nonsense.

And so I am asking you, let's have the hearings, let's have the scientists, let's have some debate about really what is occurring here instead of having hysteria and saying it is all our fault.

And, by the way, it is always the fault of the Americans. It is never the fault of the bigger countries that burn as many barrels of oil as we are doing today, not per capita but as many barrels of oil, and burn the coal as we are trying to do. It is never their fault. It is our fault.

So let's have a sound debate about this issue and not be caught in this attitude that we must do something right now because we are the Federal Government. Let's do it the right way.

I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I knew we still had charter members of the Flat Earth Society walking around this country. I didn't realize there were quite so many in the United States Congress.

Mr. YOUNG of Alaska. I am just curious, were you referring to yourself?

Mr. OBEY. The rules don't allow me to say who I was referring to.

The gentleman says we should have studies, we should have hearings. Your party has controlled this Congress for 14 years. The time for studying is over. The time for studying is past. There is a huge scientific consensus that human beings are driving global warming. And James Hansen from NASA has told us that in his view we may have less than 10 years to deal with this problem before we hit a critical tipping point be-

yond which we will be facing catastrophe.

He may be right, and you may be right. If you are right, then moving to deal with this problem costs us very little. If he is right, not moving costs us everything. The gentleman refers to an ice age.

□ 1630

If you shut down the ocean currents' conveyors, you are going to have an ice age in one heck of a hurry. So I would suggest the gentleman has committee responsibilities. If he does not want this committee to meet our responsibilities, as we have tried to do, then it is about time you meet yours and actually do something about it rather than denying that this is a real problem.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself 2 minutes.

I thank the gentleman, again, for his presentation. I am glad he gave us an additional 2 years because the way I record it we have been in power for 12 years, not 14 years. I would gladly take two more. Maybe that is an omen of this next election, but I am just saying we have actually been going on 12 years.

Lastly, let us say this is not about the action itself. It is about legislating on appropriation, but I do, and ask you sincerely, I do not have jurisdiction with that committee. Thank God, I do not really run the White House, but I think we have to legitimately and not respond to the fear tactic. Read the book, *Controlled By Fear*. It is very interesting you can frighten people into doing most anything, including taking away the economy and the opportunity for future generations, easily done.

That is what I do not want us to fall into. If we are the driving factor, I am willing to accept that responsibility and do something of it, but again, go back to the history of this globe and what has occurred. It is ironic when I go into many of these States and I see seashells at 11,000 feet, seashells. This continent was covered with water at one time, retreated and allowed humanity to grow. Now, keep that in mind. Do not keep getting caught in the idea that everything that is here now is permanent. The Earth is a natural, evolving phenomenon.

That is all I am asking people to do. It is not to be caught into the fear and driving and say it is all our fault what is occurring. If that is the case through such studies, then let us accept that, but right now it has not been proven. There is a large division that says this is not happening because of humanity.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

I would simply say to my good friend that just about the only scientists left in the world who do not recognize that this is a serious and real problem are

those who have an economic interest in not recognizing it, and that, in my view, is an absolute fact.

The gentleman talks about not wanting to fall into a trap. What you are going to fall into if we listen to the gentleman is sea levels 20 to 30 feet higher than they are now, and virtually every coastal city in the world is going to be under water, and New Orleans is going to be the norm rather than the unhappy exception. That is what the world is going to face if we do not deal with this problem and begin to deal with it while we still have time.

Mr. Chairman, how much time do we have remaining on each side?

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 7½ minutes remaining. The gentleman from Alaska (Mr. YOUNG) has 9 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding.

I am sorry that the gentleman from Alaska has raised this point of order because planet Earth is warming. Climate scientists of all persuasions agree that the average surface temperature of the Earth has risen by about 2 degrees Fahrenheit since 1850, and all agree that the accurately measurable concentration of carbon dioxide in our atmosphere has risen from about 280 parts per million in 1850 to over 380 parts per million today. Furthermore, 75 of that 100 parts per million rise has occurred in just the last 40 years.

As a scientist, my attention became totally focused on global warming some 15 years ago by the elegant and powerful measurements of carbon dioxide trapped in ice cores taken as much as 2 miles deep from the great East Antarctica ice sheet.

Those data give a continuous 400,000-year record of concentration of CO₂ in the atmosphere at the time the snow that now makes up that great ice sheet fell. Through four successive cycles of deep cold followed by interglacial periods of warming, in the coldest part of each cycle the concentration of CO₂ in the atmosphere never fell below 190 parts per million, and in the warmest period of each cycle never rose above 280 parts per million.

Suddenly, within the last 40 years, concentration of carbon dioxide in our atmosphere has smashed through the 400,000-year maximum of 280 parts per million to a 380-part per million level and continues to rise.

Since 1850, burning of fossil fuels, coal, oil and natural gas has increased 100 times to produce energy as the world has industrialized to serve the world's more than 6 billion and growing population. The scientists who do climate research understand that much of the ever increasing concentration of CO₂ in the atmosphere since 1850 must be attributed to burning those fossil fuels to produce the energy that drives industrialization.

With this chart, let me touch one facet of the climate crisis that we are dealing with. 6.3 billion people, on average, produce four tons of CO₂ every year. That comes to a total of slightly more than 25 billion tons of CO₂ produced every year. Our 290 million people produce 20 tons per person, and China, with its almost 1.3 billion people in 2003 produced 2.7 tons per person of CO₂.

We all know that China is industrializing at a growth rate of 8 to 10 percent per year. China is on track to pass the U.S. as the largest economy in the world in 20 to 25 years, and China is determined to give its people a chance at this high standard of living that we enjoy.

Consider a hypothetical case. If every country except China stayed exactly where they are on population and energy usage, and China alone industrialized to our level, using the same mix of energy sources that the U.S. uses in emitting the same 20 tons of CO₂ per person that the U.S. emits, it is a simple calculation to reach a number by taking the 1.3 billion Chinese and multiplying it by the difference between 20 and 2.7, 17.3 additional tons per person, and that comes to 22.5 billion tons of added CO₂ over what is presently emitted by the whole world. That is 90 percent as much as is being produced by the whole world today.

The industrialization of China alone would increase by 90 percent the concentration of CO₂ in our atmosphere and would at least increase the atmospheric CO₂ by at least another 100 parts per million.

That simple example tells why climate scientists are so concerned about the lack of effective measures to curb CO₂ emissions, to develop new technology, to produce energy that does not produce CO₂, to increase efficiency of present technology and, frankly, to conserve energy.

The sense of the Congress resolution on which a point of order has been raised recognizes the looming crisis that human life faces if we continue to produce the energy needed by methods that disrupt the Earth's climate by adding humongous amounts of CO₂ into our atmosphere. It is a critical first step in any effort to address global warming.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank and appreciate the gentleman from Alaska for the time.

The issue that we are debating here, this sense of Congress, is to ask the Members of Congress to take a look at a potential problem of global warming that human activity is causing by burning fossil fuel and adding increasing amounts of CO₂ to the atmosphere that helps with the greenhouse effect.

Carbon dioxide makes up less than 100th of 1 percent of the atmosphere, a very, very tiny amount. Yet that tiny

amount has a large impact on the heat balance or the climate of the planet, and so if you can take an analysis, which we can, without dispute from the scientific community, over the past 10,000 years, you can actually go back 5 million years, but if you look at the last 10,000 years, we have increased in CO₂ by a natural amount from 180 parts per million of CO₂ to 280 parts per million. It took 100 years to increase the amount of CO₂ in the atmosphere by 100 parts per million.

But then if you look at the last 100 years, especially the last 50 years, we have increased it by another 100 parts per million. Now, that is a tiny amount. It is another very small percentage. It took 10,000 years to increase it by 100 parts per million. It took really less than 100 years to increase it another 100 parts per million, which can be directly attributed to human activity burning fossil fuel.

Now, it is still a very tiny amount. Even if the human input to the increasing CO₂ is only 4 percent, when we are working at levels of hundredths of a percent, that 4 percent is significant.

So we are seeing, as a result of the change in increase in CO₂, warming temperatures of the atmosphere, warming temperatures of the oceans, receding glaciers, and that is not to scare people.

We, as adults, always want better science for our students in our schools. We need better science here on the House floor. If you look at the Greenland ice sheet 25 years ago, 20 cubic miles of that ice sheet was flowing into the North Atlantic. Today, just a few decades later, 53 cubic miles a year of the Greenland ice sheet is flowing into the North Atlantic, and like the gentleman from Wisconsin said earlier, if the Greenland ice sheet were to go, and it is growing, we should recognize a potential for a 23-foot increase in the sea level.

So, all we are asking for on the House floor is let us look at the data. Let us acknowledge our future.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to remind people, this is an appropriations bill, and we can go through the process. I think the debate has been good. We have had some good presentations. It is just a matter of difference of opinion, and some day we will decide who is right, and when I become the correct one I hope you all recognize that.

Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, let me yield the remaining 2 minutes of my time to the distinguished gentleman from Washington (Mr. DICKS), who was the originator of the language which was stricken.

Mr. DICKS. Mr. Chairman, I am going to be brief here.

The reason I offered this global warming amendment is because I believe this is a serious problem. When

you have six former administrators of the Environmental Protection Agency saying this is a reality, when you have just heard Congressman GILCHREST talk about the increases in parts per million of carbon dioxide, and when you have the visible evidence of our glaciers melting, the Greenland ice sheet is melting at a faster rate, the polar bears are dying because there is not enough ice. I mean at some point can the majority here not figure out we ought to have some study, we ought to look into this, that this is a real issue that affects everyone on the Earth?

While Alaska melts away, their Congressmen will be down here in D.C. and everybody will be wondering whatever happened to Alaska.

All I am saying is this is a serious problem, and it is time for serious people to get serious, including the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I just want to remind him, if you look at any of the studies that are taking place now, the polar bear pack is very healthy and, in fact, increasing. Keep that in mind. Read something that really has some merit to it. Do not just read the fear tactic. This is science from the Fish and Wildlife people. Read that. They will tell you we are increasing the numbers, not decreasing. Where you got this idea, I have no idea. Because someone told you that.

Mr. DICKS. Mr. Chairman, I do not think you and I will be here to figure out who was right. I would rather do some serious research about it now than wake up 10 years from now and find out if we would have acted back in 2006 and done something about this, we might have been able to save all of humanity.

I mean, this is real and it is an important issue, and I hate to see it be treated so frivolously by the gentleman from Alaska.

□ 1645

Mr. OBEY. Mr. Chairman, I yield for the purpose of a unanimous consent request to the gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Chairman, I support keeping the language in because, as the gentleman from Washington has said, it is very, very important to deal with this problem.

Mr. Chairman, I am extremely disappointed that the Rules Committee did not protect the global warming language in the Interior Appropriations Bill. Global warming is real and human activities are largely to blame. Many scientists believe the erratic and record-breaking weather events we are seeing across the country, such as the prolonged droughts in my home state of New Mexico, are the direct re-

sult of global warming. The United States must act, and we must act soon.

The language that was removed from the Interior Appropriations Bill today declared the need for a mandatory cap on greenhouse emissions. Stripping this language further shows the lack of political will of the House of Representatives on this issue. Mr. Chairman, global warming is perhaps the biggest problem that present and future generations of Americans will face. We cannot leave this to our children.

Our colleagues in the Senate have already begun the much needed debate on this issue. In fact, they passed a sense of Congress exactly the same as the one that was stripped today. In addition, they held a day-long climate change forum that gathered stakeholders on this issue, including the leadership of numerous top American companies such as GE and Walmart. Many positions and recommendations for federal greenhouse gas control legislation were aired and debated. It is way past time for the House of Representatives to join the debate. At this point, Mr. Chairman, our neglect has become a dereliction of duty.

Several pieces of legislation have already been introduced on the monumentally important and complex issue of global warming. Certainly, it will take considerable time, effort and investment to mitigate the negative effects of greenhouse gas emissions. And, this must be done equitably and without unnecessary harm to hard-working Americans.

Fortunately, much is already known on what we can do. Research and development on creative solutions to global warming has been underway for some time. Indeed, there is a lot of optimism that we can control the worst effects if we make the commitment. Many companies, states and cities around the country have begun the process. The United States House of Representatives remains silent.

We have not had a single hearing on global warming legislation. In the mean time, the United States continues to increase its greenhouse gas emission levels and China and India are developing fossil fuel dependent, carbon-intensive economies at astounding rates. Mr. Chairman, the process must begin. The United States must be a leader on this issue.

Included in the list of legislation foundering in the House is a bill that the Gentleman from Wisconsin, Mr. PETRI, and I introduced. H.R. 5049, the Keep America Competitive Global Warming Policy Act, is a bipartisan policy that will address greenhouse gas emissions but not put America's jobs at risk. This monumental step of putting a price on carbon will stabilize and eventually reduce emissions, finally putting the United States on the road toward curbing the effects of global warming.

Mr. Chairman, I urge the House of Representatives to immediately begin the debate on solutions to global warming.

Mr. OBEY. Mr. Chairman, I want to congratulate the gentleman from Alaska. He always does the best job possible in selling a very bad case.

Mr. PETRI. Mr. Chairman, I would like to take this opportunity to encourage the House to seriously look at the issue of climate change.

I agree with many of my colleagues who have spoken today on the need to address global warming and that any national policy should not significantly harm the United States

economy and encourage comparable actions by other nations.

That is why I am the lead cosponsor of Congressman TOM UDALL's Keep America Competitive Global Warming Policy Act. This legislation is a mandatory, economy wide, cap-and-trade all greenhouse gas reduction policy.

It sets a reasonable standard for emissions and allows companies to buy the time they need to meet reduction requirements without incurring irreparable harm.

The bill will maintain U.S. competitiveness by encouraging research and innovation as well as tie increases in the price of an emission allowance to the emissions-reducing actions of developing countries.

So I hope at some point we can come together and begin the discussion in a thoughtful, bipartisan manner and work to address this issue.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The amendment was rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

TITLE V—SUSPENSION OF ROYALTY RELIEF

SEC. 501. (a) REQUIREMENT TO SUSPEND.—The Secretary of the Interior shall suspend the application of any provision of Federal law under which any person is given relief from any requirement to pay royalty for production oil or natural gas from Federal lands (including submerged lands), for leases occurring in any period after the date of the enactment of this Act with respect to which—

(1) in the case of production of oil, the average price of crude oil in the United States over the most recent 4 consecutive weeks is greater than \$34.71 per barrel; and

(2) in the case of production of natural gas, the average wellhead price of natural gas in the United States over the most recent 4 consecutive weeks is greater than \$4.34 per thousand cubic feet.

(b) DETERMINATION OF MARKET PRICE.—The Secretary shall determine average prices for purposes of subsection (a) based on the most recent data reported by the Energy Information Administration of the Department of Energy.

POINT OF ORDER

Mr. PEARCE. Mr. Chairman, I rise to make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. PEARCE. Mr. Chairman, I make the point of order that the language contained in section 501 of the bill violates clause 2(b) of rule XXI and constitutes legislation on an appropriations bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair will rule. The Chair finds that this section contains language imparting direction to the Executive.

The section therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 502. RENEGOTIATION OF EXISTING LEASES.—The Secretary of the Interior shall seek to renegotiate each existing lease authorizing production of oil or natural gas on Federal land (including submerged land) that was issued by the Department of the Interior before the date of the enactment of this Act as necessary to modify the terms of such lease to ensure that any suspension of a requirement to pay royalties under such lease does not apply to production referred to in section 501(a).

POINT OF ORDER

Mr. PEARCE. Mr. Chairman, I rise to make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. PEARCE. Mr. Chairman, I make the point of order that the language contained in section 502 of the bill violates clause 2(b) of rule XXI and constitutes legislation on an appropriations bill.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

If not, the Chair will rule. The Chair finds that this section contains language imparting direction to the Executive.

The section therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the section is stricken from the bill.

AMENDMENT OFFERED BY Mr. HINCHEY

Mr. HINCHEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HINCHEY:

At the end of the bill (before the short title), insert the following:

TITLE ____—ADDITIONAL GENERAL PROVISIONS

SEC. ____ None of the funds made available in this Act may be used to issue any new lease that authorizes production of oil or natural gas under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et. seq.) to any lessee under an existing lease issued by the Department of the Interior pursuant to the Outer Continental Shelf Deep Water Royalty Relief Act (43 U.S.C. 1337 note), where such existing lease is not subject to limitations on royalty relief based on market price.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New York.

Mr. HINCHEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the amendment I have at the desk is a simple one. It says that none of the funds made available in this act may be used to issue any new leases that authorize production of oil or natural gas under the Outer Continental Shelf Lands Act to any lessee under an existing lease where such lease is not providing the proper royalties based upon market price.

We have a situation here where the American public is being gouged for

the price of oil on two separate occasions, once at the gasoline pump and once when their oil and natural gas is being drilled and obtained by oil companies that are not paying the royalties on those leases. This is something that needs to stop.

We have right now over 1,000 leases, roughly 1,032 leases, to major oil companies to drill in the Outer Continental Shelf and elsewhere, and there is no provision for those oil companies to pay royalties on the product owned by the American citizens that is being taken out of the ground, whether it is dry or under the Continental Shelf. That needs to change. We are losing roughly \$1 billion a year, and unless this is changed over the course of the next 20 years, we will lose more than \$20 billion.

So we need a situation that is going to address this, and this amendment will do so. It simply says that anyone who is interested in having leases to extract oil or natural gas from the Outer Continental Shelf, and they have already leases upon which they are not paying the proper royalties, is not going to be permitted to take those new leases.

Those new leases provide for royalties between 12 and 16 percent. The royalties are on a product that is owned by the citizens of this country, whether it is the oil or the natural gas; and any oil company that is taking those products out of the ground, out of public lands, taking this public property and not paying royalties on it should not be provided with additional leases unless they are willing to pay royalties both on the additional leases and the leases that they already have.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman is recognized for 15 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, I stand to oppose this amendment offered by the gentleman from New York. In committee, the gentleman from New York offered an amendment that conditioned eligibility for future leases on renegotiation of price thresholds in old leases. Today's amendment seeks to obtain the same coercive result by indirect.

I share the gentleman's concern about the lack of price thresholds in leases negotiated by the Clinton/Gore administration in 1998 and 1999. The Department of the Interior's Inspector General has appropriately launched an investigation into this, as has the Resources Committee. However, these leases were valid legal contracts signed between the government and these companies in good faith. They paid hundreds of millions of dollars in bonus bids for these leases, bidding on the basis of the royalty relief that they were being offered.

If the lessees seek to maintain their valid legal rights under these contracts, the amendment would penalize them for doing so, in violation of their due process rights under the Constitution. At best, the amendment is an invitation to litigation, which the government will likely lose at a high cost to the taxpayer. A more dire impact will be the lack of development of energy resources that America badly needs.

The amendment would disqualify many companies from bidding on new leases. Remember, these leases were valid leases signed by the government, legally binding. They are contracts. So what we are going to do is penalize these companies because they are abiding by their legal contracts.

Sure, we want them to negotiate. We want them to renegotiate. We would like them to pay the royalties. But the Clinton/Gore administration at that time put these contracts in place. They were signed by the companies. They were signed by the government. And now we are going to go in and say if you don't renegotiate, then you are not going to be eligible for any of these contracts. If you don't pay royalties on these contracts, wherein you are doing exactly what you are required to do by law, if you don't pay royalties voluntarily, then you are not going to be eligible for any of the new leases that are out there.

To me, that is discrimination against those companies. Sure, we would like them to pay the royalties. We think they should. We think they should renegotiate, but I don't think you can go in and break the contract that the government signed with these companies by pressuring them with the threat of not being eligible for future leases.

Mr. Chairman, this is a bad amendment and we should reject it.

Mr. HINCHEY. Mr. Chairman, I just want to point out to my friend from Idaho that the Congressional Research Service has told us that the enactment of this amendment would not constitute a taking of existing leaseholders' rights, and goes on to say that this amendment is perfectly appropriate and should be adopted.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

What is it about the marketplace that the Republicans don't understand? You signed a valid lease, although there is some argument about it. But you have a valid lease and now you want to lease the space next door. You leased a couple hundred thousand square feet, and you leased a thousand square feet, and now you want to lease next door. The economy has changed and now the land is available and so the landlord says to you, I think we will do is, we will do a wraparound lease. You want this?

This is done all the time. It is done all the time in the business world. Various assets at various prices are combined, and the landlord thinks about extracting what he can at that time when you come to renegotiate. This happens all the time in the real estate field, all the time in the minerals field.

All we are saying to the government is, these people have such a huge advantage because of the failure of the cap, we don't think they ought to get any additional leases. They can keep those leases without the caps and not lease, or they can negotiate those caps with the government to be like the rest of the oil companies and they can lease. This is a business transaction. It just happens to be a business transaction on behalf of the people of the United States of America who own these lands.

What is it about the marketplace that you think at \$70 a barrel you need royalty relief? I think you are confusing this with the idea that the oil companies are somehow royalty and we must bow down to them. At \$70 a barrel, the conservative chairman of my committee, the Resources Committee, said nobody deserves royalty relief. The President of the United States says at these prices nobody deserves royalty relief. And here you are on the floor of the House of Representatives arguing for people who get \$70 a barrel.

I talked to the CEOs of these companies when this royalty relief came up, and most of them thought it was balderdash. Most of them thought it was about trying to rescue a couple of companies that made some real bad decisions in the gulf shelf when oil was a bad price. Fine, we agreed that under \$34 a barrel you can have some royalty relief. Oil today, my friends, maybe you haven't been out of the Chamber here, it is \$70 a barrel; and that is why we are asking the marketplace to work on behalf of the taxpayers of the country who are paying \$3.50 for gasoline.

The gentleman's amendment should be unanimous in this House on behalf of people who are buying gas and com-

muting to work and are paying that price every day. Why do they now have to pay it through this tax break through this royalty relief?

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 4 minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Thank you, Mr. Chairman. I appreciate what the gentleman from California was saying, but he was wrong. Just dead wrong.

These leases were signed by the government. They were legal leases. They were valid leases. All we are saying is that the government ought to keep its word. When they sign a contract, they ought to honor the contract. The gentleman is absolutely wrong. Congress and the government should keep their word when they sign a contract. That is all we are saying.

Do we want them to pay royalty on this? Certainly we should, and I do not know why in the world the Clinton/Gore administration, the Clinton/Gore administration, let these leases go without any royalty. I do not know why they did that, but the reality is that they were signed contracts. And all we are suggesting is that you should not penalize those companies that actually signed these contracts in good faith. You should not penalize them for future leases. Why should we penalize them? There is absolutely no reason why we should penalize them. We should honor our word and our contracts, and then we should go forward.

We hope, we hope that they will renegotiate for leases, but this is not giving a break to those companies. That is not what we are intending. We hope they renegotiate. That is the reality.

Mr. HINCHEY. Mr. Chairman, the Bush administration has allowed these leases to continue for 5 years, and they haven't renegotiated them. I would just like to draw that to the attention of my friend from Idaho.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. You have a loan on your home. You

have a second mortgage on your home and you want a new line of credit. It is a valid line of credit and it is a 4 percent loan. What does the bank tell you? We want you to pay it off, and the new rate is 7 percent or 6 percent.

People renegotiate these contracts all the time. You just refuse to negotiate them on behalf of the taxpayers. You renegotiate them all of the time on behalf of the oil companies. We do it all of the time.

This is what people do when they want to refinance their homes. The banker says, here are the new rules. You can stick with your loan and be happy as you are; but if you want another \$50,000 out of your house, here are the points you have to pay. People understand this.

Why don't you let the marketplace work for once and why don't we run the government like a business, like so many of our constituents stand up and tell us to do. We now have an opportunity. We now have an opportunity, and you are refusing to take the opportunity on behalf of the taxpayers.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I am sorry the gentleman from California left the floor. We do renegotiate all the time, but it is up to me to decide whether I want to renegotiate or not.

What we are doing is imposing a penalty on these companies if they choose not to renegotiate. And I really don't care what CRS says. I don't think they are a bunch of attorneys down there. All I know is that in Idaho, we believe that when you write a contract you abide by the contract. We have written a contract. We ought to abide by it.

We are the Government of the United States. If you can't trust us to abide by the contracts we sign, why should we trust anybody else to?

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

NOTICE

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LARSON of Connecticut (at the request of Ms. PELOSI) for today on account of a family medical emergency.

Mr. LEACH (at the request of Mr. BOEHNER) for today on account of giving a commencement address in his district.

Mr. SHADEGG (at the request of Mr. BOEHNER) for today on account of traveling with the President of the United States to Arizona.

Mr. FLAKE (at the request of Mr. BOEHNER) for today on account of traveling with the President of the United States to Arizona.

Mr. FRANKS of Arizona (at the request of Mr. BOEHNER) for today on account of traveling with the President of the United States to Arizona.

Mr. HAYWORTH (at the request of Mr. BOEHNER) for today on account of traveling with the President of the United States to Arizona.

Mr. KOLBE (at the request of Mr. BOEHNER) for today on account of trav-

eling with the President of the United States to Arizona.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Ms. SCHWARTZ of Pennsylvania, for 5 minutes, today.

The following Members (at the request of Mr. SHAYS) to revise and extend their remarks and include extraneous material:)

Mr. SHIMKUS, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Friday, May 19, 2006, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7576. A communication from the President of the United States, transmitting requests for FY 2006 supplemental appropriations for the Departments of Defense, Justice, and Homeland Security; (H. Doc. No. 109-111); to the Committee on Appropriations and ordered to be printed.

7577. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Competition Requirements for Federal Supply Schedules and Multiple Award Contracts [DFARS Case 2004-D009] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7578. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Transition of Weapons-Related Prototype Projects to Follow-On Contracts [DFARS Case 2003-D106] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7579. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Prohibition of Foreign Taxation on U.S. Assistance Programs [DFARS Case 2004-D012] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7580. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Chemical Weapons Convention Regulations [Docket No. 990611158-5327-06] (RIN: 0694-AB06) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7581. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Labor Laws [DFARS Case 2003-D019] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7582. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Incremental Funding of Fixed-Price Contracts [DFARS Case 1990-037] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7583. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Global Terrorism Sanctions Regulations; Terrorism Sanctions Regulations; Foreign Terrorist Organizations Sanctions Regulations—received May 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7584. A letter from the Paralegal, FTA, Department of Transportation, transmitting the Department's final rule — Buy America Requirements; Amendment to Definitions [Docket No. FTA-2005-23082] (RIN: 2132-AA80) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7585. A letter from the Attorney, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revisions to Civil and Criminal Penalties; Penalty Guidelines [Docket No. PHMSA-05-22461] (RIN: 2137-AE14) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7586. A letter from the Chief, Europe Division, Office of International Aviation, OST, Department of Transportation, transmitting the Department's final rule — Certain Business Aviation Activities Using U.S.-Registered Foreign Civil Aircraft [Docket No. OST-2003-15511] (RIN: 2105-AD39) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7587. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30489; Amdt. No. 3162] received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEWIS of California: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2007 (Rept. 109-471). Referred to the Committee of the Whole House on the State of the Union.

Mr. GINGREY: Committee on Rules. House Resolution 821. Resolution providing for consideration of the bill (H.R. 5385) making appropriations for the military quality of life functions of the Department of Defense, Military Construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109-472). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. THOMAS:

H.R. 5416. A bill to provide for grants to conduct research toward the development of a vaccine against Valley Fever; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. BOUCHER, and Ms. ZOE LOFGREN of California):

H.R. 5417. A bill to amend the Clayton Act with respect to competitive and nondiscriminatory access to the Internet; to the Committee on the Judiciary.

By Mr. ISSA (for himself and Mr. SCHIFF):

H.R. 5418. A bill to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; to the Committee on the Judiciary.

By Mr. DANIEL E. LUNGREN of California:

H.R. 5419. A bill to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union; to the Committee on House Administration.

By Mr. CARNAHAN (for himself, Mr. RANGEL, Mr. SOUDER, Mrs. JONES of Ohio, Ms. CARSON, Mr. CLAY, Mr. CLEAVER, Mr. GORDON, Ms. HARRIS, Mr. HOLT, Mr. JENKINS, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MICHAUD, Mr. MOORE of Kansas, Mr. NADLER, Mr. PAYNE, Mr. ROTHMAN, and Mr. SKELTON):

H.R. 5420. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the rehabilitation of older buildings, including owner-occupied residences; to the Committee on Ways and Means.

By Mr. PETERSON of Minnesota (for himself, Mr. LATHAM, and Mr. MARSHALL):

H.R. 5421. A bill to amend the Internal Revenue Code of 1986 to restore the estate tax and repeal the carryover basis rule, to increase the estate and gift tax unified credit to an exclusion equivalent of \$5,000,000, and to reduce the rate of the estate and gifts taxes to the generally applicable capital gains income tax rate; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. GREEN of Wisconsin, Mr. CANNON, Mr. CHABOT, and Mr. GOODLATTE):

H.R. 5422. A bill to amend the Internet Tax Freedom Act to make permanent the moratorium on taxes on internet access and on multiple and discriminatory taxes on electronic commerce; to the Committee on the Judiciary.

By Mr. SERRANO (for himself, Mr. CROWLEY, Mr. HINCHEY, Mr. ISRAEL, Mrs. MALONEY, and Mr. OWENS):

H.R. 5423. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Oak Point and North Brother Island in the Bronx in the State of New York as a unit of the National Park System; to the Committee on Resources.

By Mr. SOUDER (for himself and Mr. PITTS):

H.R. 5424. A bill to allow certain existing retirement plans maintained by churches to continue to provide annuities directly to participants rather than through an insurance company; to the Committee on Ways and Means.

By Mr. TERRY (for himself, Mr. FORTENBERRY, and Mr. OSBORNE):

H.R. 5425. A bill to amend the International Air Transportation Competition

Act of 1979 relating to air transportation to and from Love Field, Texas; to the Committee on Transportation and Infrastructure.

By Mr. SHERMAN:

H. Res. 820. A resolution expressing support for the celebration of "Human Rights Day" and "Human Rights Week"; to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCCOLLUM of Minnesota (for herself, Mr. OBERSTAR, Mr. SABO, Mr. MCGOVERN, Mr. PAYNE, Mr. MORAN of Virginia, Ms. LEE, Ms. JACKSON-LEE of Texas, Ms. MCKINNEY, and Mr. ABERCROMBIE):

H. Res. 822. A resolution promoting local peace building efforts in Colombia and recognizing the courageous efforts of Colombian civil society and churches to establish peace communities, advance non-violent conflict resolution, and advocate for human dignity; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 63: Mr. BISHOP of New York.
 H.R. 111: Mr. KING of Iowa.
 H.R. 303: Mr. SHIMKUS.
 H.R. 475: Ms. VELÁZQUEZ.
 H.R. 515: Mr. CLAY.
 H.R. 602: Mr. CAPUANO.
 H.R. 663: Ms. MCKINNEY.
 H.R. 699: Mr. WHITFIELD.
 H.R. 783: Mr. JONES of North Carolina and Mr. PLATTS.
 H.R. 824: Ms. MCKINNEY.
 H.R. 838: Mr. HOLT.
 H.R. 865: Mr. PRICE of North Carolina and Mr. JEFFERSON.
 H.R. 877: Mr. GARY G. MILLER of California.
 H.R. 881: Mr. CALVERT.
 H.R. 1018: Mrs. MALONEY.
 H.R. 1131: Mr. BARROW.
 H.R. 1227: Mr. FEENEY, Ms. HERSETH, Mr. MARCHANT, Mr. FATTAH, Mr. COLE of Oklahoma, and Mr. MARKEY.
 H.R. 1264: Mr. STUPAK, Mr. FORTENBERRY, Mr. CUMMINGS, and Mr. MORAN of Kansas.
 H.R. 1298: Mr. BOOZMAN.
 H.R. 1345: Mr. CASE.
 H.R. 1351: Mr. MILLER of Michigan.
 H.R. 1370: Mr. SHADEGG.
 H.R. 1384: Mr. SODREL.
 H.R. 1432: Ms. MCKINNEY.
 H.R. 1433: Ms. MCKINNEY.
 H.R. 1434: Ms. MCKINNEY.
 H.R. 1494: Mr. JINDAL and Mrs. MILLER of Michigan.
 H.R. 1498: Ms. CARSON.
 H.R. 1545: Mr. CLYBURN.
 H.R. 1634: Mrs. JO ANN DAVIS of Virginia, Mr. KIRK, Mr. JONES of North Carolina, Mrs. BIGGERT, and Mr. McCAUL of Texas.
 H.R. 1709: Mrs. JONES of Ohio and Mr. LANGEVIN.
 H.R. 1773: Mr. BOSWELL.
 H.R. 1792: Ms. JACKSON-LEE of Texas.
 H.R. 1806: Mrs. MCCARTHY.
 H.R. 1816: Mr. GOODLATTE.
 H.R. 2014: Mrs. JO ANN DAVIS of Virginia and Mr. KUHLMAN of New York.
 H.R. 2037: Mr. PASTOR.
 H.R. 2047: Mr. GREEN of Wisconsin.
 H.R. 2089: Mrs. CAPITO and Mrs. MYRICK.
 H.R. 2177: Mr. SHAYS.
 H.R. 2178: Ms. SOLIS and Mr. POMEROY.
 H.R. 2231: Mr. HAYWORTH, Mr. UDALL of New Mexico, Ms. HART, Mr. GEORGE MILLER of California, and Mr. SHERWOOD.

H.R. 2239: Mr. HAYWORTH.
 H.R. 2305: Mrs. MCCARTHY.
 H.R. 2306: Mr. BOSWELL.
 H.R. 2317: Ms. SCHAKOWSKY.
 H.R. 2429: Ms. HARMAN.
 H.R. 2488: Mr. HULSHOF.
 H.R. 2736: Mrs. MCCARTHY.
 H.R. 3019: Ms. HART.
 H.R. 3080: Mrs. BONO.
 H.R. 3082: Mrs. DAVIS of California.
 H.R. 3255: Mr. NEUGEBAUER.
 H.R. 3279: Mr. BOSWELL.
 H.R. 3318: Mr. LEWIS of Kentucky.
 H.R. 3326: Ms. BECKLEY.
 H.R. 3352: Mr. BURTON of Indiana.
 H.R. 3358: Mr. YOUNG of Florida.
 H.R. 3373: Mr. BROWN of Ohio.
 H.R. 3385: Ms. HART and Mr. KLINE.
 H.R. 3476: Mr. GORDON and Mr. TERRY.
 H.R. 3478: Mrs. MYRICK.
 H.R. 3479: Mr. CLYBURN.
 H.R. 3540: Mr. VAN HOLLEN.
 H.R. 3628: Mr. UDALL of New Mexico.
 H.R. 3781: Mr. WEXLER.
 H.R. 3858: Mrs. SCHMIDT and Mr. CLAY.
 H.R. 3875: Mr. McCAUL of Texas and Mr. BAIRD.
 H.R. 4033: Mr. HOEKSTRA, Mr. NADLER, Mr. TOM DAVIS of Virginia, Mr. DAVIS of Alabama, Mrs. JO ANN DAVIS of Virginia, Mr. FARR, Mr. HAYWORTH, Mr. RAMSTAD, Mr. PICKERING, Ms. CORRINE BROWN of Florida, Mr. CLAY, Mr. TAYLOR of Mississippi, Mr. BISHOP of New York, Mr. ROTHMAN, Mr. KIND, Mr. WALSH, Mr. SMITH of New Jersey, Mr. COSTELLO, Ms. WOOLSEY, Mr. HINOJOSA, Mr. OBERSTAR, Mr. CHANDLER, Mr. STRICKLAND, Mr. BOSWELL, Mr. SHERWOOD, Mr. FORD, and Mr. NEAL of Massachusetts.
 H.R. 4158: Mr. MCINTYRE.
 H.R. 4236: Mrs. CUBIN.
 H.R. 4239: Mr. PETERSON of Minnesota.
 H.R. 4282: Mr. BILIRAKIS and Mr. HOSTETTLER.
 H.R. 4325: Mr. MORAN of Virginia, Mr. GORDON, Mrs. BIGGERT, and Mr. MCCOTTER.
 H.R. 4341: Mr. ROGERS of Michigan, Mr. SIMMONS, Mr. ETHERIDGE, Mr. TERRY, Mr. BACHUS, and Mr. AKIN.
 H.R. 4347: Mr. DAVIS of Alabama.
 H.R. 4366: Mr. DAVIS of Florida.
 H.R. 4384: Mr. McNULTY and Mr. LARSEN of Washington.
 H.R. 4409: Mr. SCOTT of Georgia, Ms. MCCOLLUM of Minnesota, and Mr. SMITH of Texas.
 H.R. 4450: Mr. TANCREDO.
 H.R. 4542: Mr. HAYES.
 H.R. 4560: Mr. FORD and Mr. ROGERS of Kentucky.
 H.R. 4562: Mr. CLAY, Ms. WOOLSEY, Mr. MCINTYRE, Mr. BAIRD, Mr. CLYBURN, Mr. DICKS, Mr. EMANUEL, Ms. ESHOO, Mr. HOLT, Mr. ISRAEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARKEY, Mr. MEEKS of New York, Mrs. JONES of Ohio, Ms. NORTON, Mr. PALLONE, Ms. SCHAKOWSKY, Mr. SHERMAN, Ms. MILLENDER-MCDONALD, and Mr. LAHOOD.
 H.R. 4710: Mr. CLAY and Mrs. BIGGERT.
 H.R. 4761: Mr. BOOZMAN.
 H.R. 4772: Mrs. MYRICK.
 H.R. 4774: Ms. MCKINNEY.
 H.R. 4843: Ms. ZOE LOFGREN of California.
 H.R. 4856: Mr. PETERSON of Minnesota.
 H.R. 4867: Mr. JEFFERSON and Mr. MEEK of Florida.
 H.R. 4873: Mr. HAYWORTH and Mr. TERRY.
 H.R. 4894: Mr. BOEHLERT and Mr. PEARCE.
 H.R. 4897: Mr. SANDERS.
 H.R. 4946: Mr. MARIO DIAZ-BALART of Florida.
 H.R. 4963: Mr. HYDE.
 H.R. 4974: Mr. PALLONE and Mr. TOM DAVIS of Virginia.
 H.R. 4982: Mr. SCHIFF and Mr. BARROW.
 H.R. 5017: Mr. MEEHAN and Mr. MCGOVERN.
 H.R. 5053: Mr. CHANDLER, Mr. MOORE of Kansas, Mr. GOODLATTE, and Mr. LEWIS of Kentucky.

H.R. 5091: Mr. MEEK of Florida, Mr. SNYDER, Mr. CONYERS, Mr. RANGEL, Mr. OBERSTAR, Ms. KILPATRICK of Michigan, Mr. OWENS, Mrs. CHRISTENSEN, Ms. CORRINE BROWN of Florida, Mr. DAVIS of Florida, Mr. HASTINGS of Florida, Ms. WATERS, Mr. KUCINICH, Mr. FOLEY, and Ms. ZOE LOFGREN of California.
 H.R. 5113: Mr. CUMMINGS and Mr. OLVER.
 H.R. 5126: Mrs. CUBIN.
 H.R. 5141: Mr. MOORE of Kansas.
 H.R. 5150: Ms. PELOSI, Mr. HONDA, Mrs. MALONEY, Mr. MEEK of Florida, Mr. CLEAVER, Mr. HINOJOSA, and Ms. DELAUNO.
 H.R. 5159: Ms. BALDWIN, Ms. ZOE LOFGREN of California, and Mr. PORTER.
 H.R. 5182: Mr. WHITFIELD, Mr. FILNER, Mr. LEACH, Mr. SCHIFF, and Mrs. JO ANN DAVIS of Virginia.
 H.R. 5185: Mr. ABERCROMBIE, Ms. WATSON, and Ms. ZOE LOFGREN of California.
 H.R. 5188: Mr. GENE GREEN of Texas and Ms. HART.
 H.R. 5200: Mr. RUPPERSBERGER, Mr. BASS, Mr. GERLACH, and Mr. CALVERT.
 H.R. 5201: Mr. CROWLEY, Mr. SAXTON, Mr. GEORGE MILLER of California, Mr. FILNER, Mr. KUHLMAN of New York, Mr. BLUMENAUER, Mr. EVANS, and Mr. UDALL of New Mexico.
 H.R. 5202: Mr. BOSWELL.
 H.R. 5209: Mr. WEXLER.
 H.R. 5212: Mr. BAIRD, Ms. MCCOLLUM of Minnesota, and Mr. BACA.
 H.R. 5223: Mr. DOGGETT.
 H.R. 5225: Mr. WEXLER and Mr. KUCINICH.
 H.R. 5249: Mr. SCHWARZ of Michigan.
 H.R. 5255: Mr. CARTER.
 H.R. 5262: Mr. MILLER of Florida and Mr. ENGLISH of Pennsylvania.
 H.R. 5273: Mr. CAPPS and Mr. STARK.
 H.R. 5290: Mr. WAXMAN.
 H.R. 5291: Mr. PEARCE.
 H.R. 5314: Mr. FOSSELLA, Mr. WELDON of Pennsylvania, Mr. SESSIONS, Mr. PAUL, Ms. GINNY BROWN-WAITE of Florida, Mr. JINDAL, Mr. MCCOTTER, Mr. PEARCE, and Mr. MILLER of Florida.
 H.R. 5316: Mr. KELLER, Mr. MORAN of Kansas, Mr. MICHAUD, and Mr. GERLACH.
 H.R. 5319: Mr. POE.
 H.R. 5333: Mr. CALVERT, Mr. CHANDLER, and Mr. BACHUS.
 H.R. 5344: Mr. CONYERS.
 H.R. 5346: Mr. BISHOP of Georgia and Mr. GOODE.
 H.R. 5348: Mr. FARR and Ms. ZOE LOFGREN of California.
 H.R. 5353: Mr. TERRY.
 H.R. 5362: Ms. SOLIS.
 H.R. 5367: Mr. DAVIS of Alabama and Mr. MCGOVERN.
 H.R. 5371: Mr. TOWNS, Mr. SERRANO, Mr. CASE, Mr. BRADY of Pennsylvania, Mr. LANTOS, Mr. BROWN of Ohio, Ms. MCCOLLUM of Minnesota, Mr. GEORGE MILLER of California, Mrs. MALONEY, Mr. ACKERMAN, Mr. WAXMAN, Mr. KUCINICH, Mr. ABERCROMBIE, Mr. McDERMOTT, Mr. OWENS, Mr. NEAL of Massachusetts, and Mr. FARR.
 H.R. 5382: Mr. McNULTY.
 H.R. 5388: Mr. RENZI and Mr. RUPPERSBERGER.
 H.R. 5399: Mr. SAXTON.
 H.R. 5403: Mr. SAM JOHNSON of Texas.
 H. Con. Res. 346: Mr. ORTIZ.
 H. Con. Res. 347: Mr. CAPUANO.
 H. Con. Res. 393: Ms. KILPATRICK of Michigan, Mr. OWENS, Mr. MEEKS of New York, Mr. DAVIS of Illinois, and Mr. BISHOP of Georgia.
 H. Con. Res. 400: Mr. BOOZMAN and Mr. KENNEDY of Minnesota.
 H. Con. Res. 401: Mr. MEEK of Florida, Mrs. JONES of Ohio, Mr. CROWLEY, Mr. BECERRA, Mr. SALAZAR, Ms. LEE, Mr. JACKSON of Illinois, Mr. HONDA, Mr. ORTIZ, Mr. GONZALEZ, Mr. PALLONE, Ms. ZOE LOFGREN of California, Ms. MOORE of Wisconsin, Mr. ACKERMAN, Mr. ISRAEL, Mr. WEINER, Mr. CANNON, Mr.

CARDOZA, Mr. ISSA, Ms. BEAN, Mr. RUPPERSBERGER, Ms. WASSERMAN SCHULTZ, Ms. SOLIS, Mr. RAMSTAD, Mr. UDALL of Colorado, Mr. CHANDLER, Mr. MATHESON, Mr. DEFazio, Ms. ROYBAL-ALLARD, Mr. SANDERS, Mr. MILLER of North Carolina, Mr. PASTOR, Mrs. CAPPS, Mr. CUELLAR, Ms. LINDA T. SÁNCHEZ of California, Mr. INSLEE, Mr. SPRATT, Mr. CASE, Mr. DAVIS of Illinois, Mr. ANDREWS, Mr. HOLT, Ms. BERKLEY, Ms. WOOLSEY, Ms. HOOLEY, Ms. MATSUI, Ms. SLAUGHTER, Mr. GEORGE MILLER of California, Mr. LANTOS, Mr. BLUMENAUER, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LORETTA SANCHEZ of California, Mr. KILDEE, Mr. MICHAUD, Ms. KILPATRICK of Michigan, Ms. CORRINE BROWN of Florida, Mr. LANGEVIN, Mr. SNYDER, Ms. DELAURO, Mr. HASTINGS of Florida, Mr. SERRANO, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. BISHOP of Georgia, Mr. TIERNEY, Mr. KUHL of New York, Ms. MCCOLLUM of Minnesota, and Mr. MEEHAN.

H. Res. 78: Mr. STRICKLAND.

H. Res. 466: Mr. CARDIN.
 H. Res. 498: Mr. ETHERIDGE, Mr. SMITH of Washington, Mr. BOYD, Mrs. JOHNSON of Connecticut, Mr. McHUGH, and Mr. WAMP.
 H. Res. 507: Mr. OBERSTAR.
 H. Res. 723: Mr. MILLER of North Carolina.
 H. Res. 727: Ms. SCHAKOWSKY.
 H. Res. 729: Mr. MANZULLO.
 H. Res. 760: Mrs. MILLER of Michigan, and Mr. McCOTTER.
 H. Res. 765: Mr. WEXLER and Mr. FITZPATRICK of Pennsylvania.
 H. Res. 790: Mr. TOWNS and Mrs. SCHMIDT.
 H. Res. 792: Mrs. NAPOLITANO, Mr. JEFFERSON, Mr. CROWLEY, Mr. WEXLER, Mr. FATTAH, and Mr. LANTOS.
 H. Res. 812: Mr. RANGEL and Mr. JEFFERSON.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5386

OFFERED BY MR. DENT

AMENDMENT No. 12: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to implement, administer, or enforce section 20(b)(1) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)).

H.R. 5386

OFFERED BY: MR. TIAHRT

AMENDMENT No. 13: At the end of the bill (before the short title) insert the following:

SEC. . None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.